

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

637A0391

SENATE BILL NO. 120

Introduced by: Senators Shoener, Halverson, Lawler, and Whiting and Representatives
Monroe, Broderick, DeMersseman, Roe, and Schaunaman

1 FOR AN ACT ENTITLED, An Act to clarify certain provisions relating to insurance arbitration
2 between insurance companies.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 21-25A-3 be amended to read as follows:

5 21-25A-3. This chapter ~~shall~~ does not apply to insurance policies and every provision in any
6 such policy requiring arbitration or restricting a party thereto or beneficiary thereof from
7 enforcing ~~his rights~~ any right under it by usual legal proceedings in ordinary tribunals or limiting
8 ~~his~~ the time to do so is void and unenforceable. However, nothing in this chapter may be deemed
9 to impair the enforcement of or invalidate a contractual provision for arbitration entered into
10 between insurance companies.