

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

583E0491

SENATE BILL NO. 181

Introduced by: Senators de Hueck, Brown (Arnold), Daugaard, Diedtrich (Elmer), Everist, Hutmacher, Koetzle, Madden, McCracken, Moore, Olson (Ed), Sutton (Dan), Vitter, Volesky, and Whiting and Representatives Madsen, Brown (Jarvis), Brown (Richard), Burg, Derby, Flowers, Fryslie, Gillespie, Hanson (Gary), Hargens, Hennies (Thomas), Jensen, Juhnke, Kooistra, McCaulley, McCoy, Monroe, Olson (Mel), Pederson (Gordon), Peterson (Bill), Smidt, Solum, Teupel, Valandra, Van Gerpen, and Van Norman

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to underinsured
2 motorist coverage limits.

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

4 Section 1. That § 58-11-9.5 be amended to read as follows:

5 58-11-9.5. Subject to the terms and conditions of such underinsured motorist coverage, the
6 insurance company agrees to pay its own insured for uncompensated damages as its insured may
7 recover on account of bodily injury or death arising out of an automobile accident because the
8 judgment recovered against the owner of the other vehicle exceeds the policy limits thereon.
9 ~~Coverage shall be limited to the underinsured motorist coverage limits on the vehicle of the party~~
10 ~~recovering less the amount paid by the liability insurer of the party recovered against.~~