

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

391H0420

HOUSE BILL NO. 1193

Introduced by: Representatives Davis, Abdallah, Bartling, Hanson (Gary), Hennies (Don), Hennies (Thomas), Kloucek, Lange, and Sigdestad and Senators Staggers, Albers, Brown (Arnold), Dennert, Hagen, Ham, Hutmacher, Koetzle, McCracken, McIntyre, Reedy, Sutton (Dan), and Symens

1 FOR AN ACT ENTITLED, An Act to provide for an award of attorney fees and costs in
2 custody and visitation modification hearings under certain circumstances.

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

4 Section 1. In any hearing for modification of custody or visitation of a child, the court may
5 award reasonable attorney fees and costs to the prevailing party. If the court finds that the filing
6 for modification is frivolous or vexatious, the court may impose additional costs incurred by the
7 innocent parent, including lost wages and travel expenses.

