

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

493H0560

## HOUSE BILL NO. 1215

Introduced by: Representatives Lintz, Frost, Hennies (Thomas), Jensen, Pederson (Gordon),  
Pummel, Rhoden, Slaughter, and Teupel and Senators Vitter, Albers, and Apa

1 FOR AN ACT ENTITLED, An Act to provide that certain malicious or groundless judicial  
2 proceedings involving environmental impact statements constitute abuse of judicial process  
3 and to provide a penalty for the violation thereof.

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

5 Section 1. That chapter 22-12 be amended by adding thereto a NEW SECTION to read as  
6 follows:

7 It is abuse of judicial process for any person to initiate or bring, or cause to be initiated or  
8 brought, any judicial proceeding with reference to any environmental impact statement if the  
9 intent is to maliciously or groundlessly hinder, obstruct, or delay the lawful use of development  
10 of real property or any structure, fixture, or resource appurtenant thereto. A violation of this  
11 section is a Class 1 misdemeanor.

