

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

883P0129

## SENATE BILL NO. 83

Introduced by: Senators Turbak Berry, Abdallah, Albers, Greenfield, Heidepriem, Hoerth, Koetzle, McCracken, and Olson (Ed) and Representatives Cutler, Ahlers, Engels, Lust, Novstrup (Al), and Vehle

1 FOR AN ACT ENTITLED, An Act to repeal a medical malpractice limitation applicable to  
2 minors aged six or over.

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

4 Section 1. That § 15-2-22.1 be repealed.

5 ~~—15-2-22.1. Notwithstanding any provision of § 15-2-22, respecting minors as defined in~~  
6 ~~§ 26-1-1, any action described in § 15-2-14.1 shall be commenced only within three years after~~  
7 ~~the alleged malpractice, error, mistake, or failure to cure occurred, unless the minor is less than~~  
8 ~~six years of age at the time of the alleged malpractice, error, mistake, or failure to cure in which~~  
9 ~~case the action shall then be commenced within two years after the sixth birthday of the minor.~~

