



2025 South Dakota Legislature

House Bill 1011

Introduced by: The Chair of the Committee on Judiciary at the request of the Chief Justice

1 **An Act to revise provisions related to the stenographic recording of certain**
2 **proceedings.**

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

4 **Section 1. That § 16-12B-15 be AMENDED:**

5 **16-12B-15.** Except in a small claims proceedings proceeding, a verbatim record
6 of all proceedings and evidence at ~~trials~~ trial before a magistrate court, with a magistrate
7 judge presiding ~~shall~~, must be maintained either by ~~electrical devices~~ an electronic device
8 or by stenographic means, as the magistrate may direct. ~~However, if any party to the~~
9 ~~action requests stenographic reporting of the proceedings, the reporting shall be done~~
10 ~~stenographically. The requesting party in a civil matter shall pay the costs of reporting the~~
11 ~~proceedings. If no record is kept, the appeal, if appeal is authorized by law, shall be~~ is de
12 novo in circuit court.

13 **Section 2. That § 16-12C-14 be AMENDED:**

14 **16-12C-14.** Except in a small claims proceedings proceeding, a verbatim record
15 of all proceedings and evidence at ~~trials~~ trial before a clerk magistrate ~~shall~~ must be
16 maintained either by ~~electrical devices~~ an electronic device or by stenographic means, as
17 the magistrate may direct. ~~However, if any party to the action requests stenographic~~
18 ~~reporting of the proceedings, the reporting shall be done stenographically. The requesting~~
19 ~~party in a civil matter shall pay the costs of reporting the proceedings. If no record is kept,~~
20 the appeal, if appeal is authorized by law, ~~shall be~~ is de novo in circuit court.