

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0310

HOUSE BILL NO. 1019

Introduced by: The Committee on Commerce and Energy at the request of the Bureau of
Administration

1 FOR AN ACT ENTITLED, An Act to require that the state pursue recoverable costs of
2 litigation.

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

4 Section 1. That the code be amended by adding a NEW SECTION to read:

5 If the law allows for recovery of costs by a prevailing party, the state or a political
6 subdivision shall, if it is a prevailing party, apply to the court for those costs. Nothing in this
7 section prevents the state or a political subdivision from waiving the award of costs as a
8 condition of settlement.

