

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

400X0587

CONFERENCE COMMITTEE  
ENGROSSED NO. **HB 1183** - 03/09/2016

Introduced by: Representative Johns and Senator Rusch

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the jurisdiction of  
2 magistrate courts to issue protection orders.

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

4 Section 1. That § 16-12B-13 be amended to read:

5 16-12B-13. A magistrate court with a magistrate judge presiding has concurrent jurisdiction  
6 with the circuit courts to try and determine all civil actions, if the debt, damage, claim, or value  
7 of the property involved does not exceed twelve thousand dollars. A magistrate court with a  
8 magistrate judge presiding has concurrent jurisdiction with the circuit courts to try and  
9 determine any action for a protective or restraining order or injunctive relief pursuant to chapter  
10 22-19A or 25-10. When the action is one for protection from domestic abuse, a magistrate judge  
11 may not issue an ex parte protection order pursuant to § 25-10-6, or try any petition, which calls  
12 for either the award of temporary custody or establishment of temporary visitation with regards  
13 to visitation of a minor child of the parties or that establishes temporary support for a minor  
14 child of the parties or a spouse. Any magistrate court with a magistrate judge presiding has  
15 jurisdiction in small claims proceedings, if the debt, damage, claim, or value of the property



1 involved does not exceed twelve thousand dollars.