



2021 South Dakota Legislature
House Bill 1069
ENROLLED

AN ACT

ENTITLED An Act to modify the expenditures that are recoverable as disbursements by a prevailing party in a civil action or a special proceeding.

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

Section 1. That § 15-17-37 be AMENDED.

15-17-37. Prevailing party recovery--Taxation.

The prevailing party in a civil action or special proceeding may recover expenditures necessarily incurred in gathering and procuring evidence or bringing the matter to trial. Such expenditures include costs of telephonic hearings, costs of telephoto or fax charges, fees of witnesses, interpreter or translator expenditures not otherwise covered pursuant to § 15-17-37.1, officers, printers, service of process, filing, expenses from telephone calls, copying, costs of original and copies of transcripts and reporter's attendance fees, and court appointed experts. These expenditures are termed "disbursements" and are taxed pursuant to § 15-6-54(d).

Section 2. That a NEW SECTION be added:

15-17-37.1. Interpreter or translator services--Payment.

When a witness or party needs a language interpreter or translator in a civil action or special proceeding, the court shall procure and appoint a disinterested interpreter or translator. The interpreter or translator shall be compensated for services provided in the court proceeding that the court certifies to be reasonable and just. The payment for the services of the interpreter or translator shall be made from funds appropriated for the operation of the courts. A civil action for purposes of this section does not include abuse and neglect, juvenile, involuntary commitment, mental illness, or protection order proceedings.

An Act to modify the expenditures that are recoverable as disbursements by a prevailing party in a civil action or a special proceeding.

I certify that the attached Act originated in the:
House as Bill No. 1069

Received at this Executive Office this ____ day of _____, 2021 at _____ M.

Chief Clerk

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this ____ day of _____, A.D., 2021

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2021 at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1069
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State