

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

616U0124

## HOUSE BILL NO. 1131

Introduced by: Representatives Hickey, Bolin, Craig, Cronin, Ecklund, Erickson, Feinstein, Gibson, Gosch, Hajek, Hawks, Hoffman, Hunhoff (Bernie), Johns, Lust, Mickelson, Munsterman, Rounds, Rozum, Russell, Schoenfish, Stalzer, Stevens, and Verchio and Senators Kirkeby, Hunhoff (Jean), Jensen, Lederman, Lucas, Maher, Otten (Ernie), Tidemann, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to revise the property exempted from levy in bankruptcy  
2 cases.

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

4 Section 1. That § 43-45-2 be amended to read as follows:

5 43-45-2. The property mentioned in this section is absolutely exempt from all such process,  
6 levy, or sale, except as may be otherwise provided by law:

- 7 (1) All family pictures;
- 8 (2) A pew or other sitting in any house of worship;
- 9 (3) A lot or lots in any burial ground;
- 10 (4) The family Bible and all schoolbooks used by the family, and all other books used  
11 as a part of the family library, not exceeding in value two hundred dollars;
- 12 (5) All wearing apparel and clothing of the debtor and ~~his~~ the debtor's family;
- 13 (6) The provisions for the debtor and ~~his~~ the debtor's family necessary for one year's



1 supply, either provided or growing, or both, and fuel necessary for one year;

2 (7) All property in this state of the judgment debtor if the judgment is in favor of any  
3 state for failure to pay that state's income tax on benefits received from a pension or  
4 other retirement plan while the judgment debtor was a resident of this state;

5 (8) Interests in motor vehicles, as defined in § 32-3-1(11), not to exceed a total  
6 cumulative value of five thousand dollars, per debtor.