



## 2024 South Dakota Legislature

# House Bill 1084

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

1 **An Act to repeal a provision related to habeas corpus proceedings.**

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

3 **Section 1. That § 21-27-6 be REPEALED:**

4           Any judge empowered by this chapter to issue writs of habeas corpus, who shall  
5 corruptly refuse to issue such writ, when legally applied to, in a case where such writ may  
6 lawfully issue, or who shall, for the purpose of oppression, unreasonably delay the issuing  
7 of such writ, shall, for every such offense, forfeit to the prisoner or person aggrieved a  
8 sum not exceeding five hundred dollars. Recovery of the penalty provided herein shall be  
9 no bar to a civil suit for damages.