



2024 South Dakota Legislature

House Bill 1158

Introduced by: **Representative Hansen**

1 **An Act to limit reliance upon secondary sources as statements of law.**

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

3 **Section 1. That a NEW SECTION be added to chapter 2-14:**

4 A secondary source, including any legal treatise, scholarly publication, textbook,
5 or other explanatory text, does not constitute the law or public policy of this state and is
6 not authoritative if the secondary source purports to create, eliminate, expand, or restrict
7 a cause of action, right, or remedy, or if it conflicts with, or is not otherwise addressed
8 by:

9 (1) The Constitution of the United States or of this state;

10 (2) A statute of this state;

11 (3) Case law precedent of this state; or

12 (4) Other common law that may have been adopted by this state.