



2022 South Dakota Legislature

House Bill 1177

HOUSE ENGROSSED

Introduced by: **Representative Derby**

1 **An Act to establish provisions regarding ejection of persons from certain lodging**
 2 **establishments and recreational vehicle facilities.**

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

4 **Section 1. That chapter 43-32 be amended with a NEW SECTION:**

5 A hotel, campground, or RV park establishment may eject a person from the
 6 establishment premises, without return of the person's rental payment, as per the
 7 establishment's cancellation policy, for any of the following reasons:

8 (1) Nonpayment of the business's charges for accommodations or services;

9 (2) The person is engaged in disorderly conduct, as described in § 22-18-35, or has
 10 been the subject of complaints from other guests;

11 (3) The person is using the premises for an unlawful act;

12 (4) The person brought onto the premises any explosive or destructive device, as those
 13 terms are defined in § 22-1-2;

14 (5) The person is not a registered guest of the establishment;

15 (6) The person has exceeded the limitations for guest room or site occupancy
 16 established by the establishment;

17 (7) The person has obtained the accommodation under false pretenses;

18 (8) The person is a minor and is not under the supervision of the adult who has
 19 obtained the accommodation;

20 (9) The person has violated any federal, state, or local laws or regulations relating to
 21 the establishment; or

22 (10) The person has violated any rule of the business that is posted in a conspicuous
 23 place at or near the guest registration desk or inside each guest room, as
 24 applicable, of the establishment; except that no rule may authorize the
 25 establishment to eject or refuse or deny service in violation of chapter 20-13.