

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

717U0220

HOUSE BILL NO. 1105

Introduced by: Representatives Wick, Cronin, Hawley, Lust, Munsterman, and Steele and
Senators Krebs, Adelstein, Heineman (Phyllis), Jensen, Lucas, Monroe,
Peters, and Tidemann

1 FOR AN ACT ENTITLED, An Act to revise the maximum security deposit for residential
2 premises.

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

4 Section 1. That § 43-32-6.1 be amended to read as follows:

5 43-32-6.1. Any deposit of money, the function of which is to secure the performance of a
6 residential rental agreement or any part of such an agreement, ~~shall be~~ is deemed to be a security
7 deposit. A lessor of residential premises may not demand or receive a security deposit, however
8 denominated, in an amount or value in excess of ~~one~~ two month's rent except ~~that a~~ based on
9 a perceived risk. A larger deposit may be agreed upon between the lessor and the lessee where
10 special conditions pose a danger to maintenance of the premises.

