



2024 South Dakota Legislature

Senate Bill 90

Introduced by: **Senator Rohl**

1 **An Act to repeal the requirement of advance notice to quit in an action of forcible**
2 **entry and detainer.**

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

4 **Section 1. That § 21-16-2 be REPEALED:**

5 ~~In all cases arising under subdivisions 21-16-1(4), (5), and (6), three days' written~~
6 ~~notice to quit must be given to the lessee, subtenant, or party in possession, before~~
7 ~~proceedings can be instituted, and may be served and returned in like manner as a~~
8 ~~summons is served and returned. On the second service attempt, at least six hours after~~
9 ~~the previous service attempt, the notice to quit may be posted in a conspicuous place on~~
10 ~~the property, and also delivered to a person there residing, if such person can be found;~~
11 ~~and also sent by first class mail addressed to the tenant at the place where the property~~
12 ~~is situated.~~