

2025 South Dakota Legislature

Senate Bill 117**AMENDMENT 117C
FOR THE INTRODUCED BILL**

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

1 An Act to ~~allow a dealer in motor homes or recreational park trailers to construct~~
2 ~~and operate campsites at a dealership location~~ revise procedures for returning
3 and withholding security deposits.

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

5 **Section 1. That § 43-32-24 be AMENDED:**

6 **43-32-24.** Every lessor of residential premises shall, within ~~two weeks~~ twenty-
7 eight days after the termination of the tenancy and receipt of the tenant's mailing address
8 or delivery instructions, return the security deposit to the tenant, or furnish to the tenant,
9 a written statement showing the specific reason for ~~the withholding of~~ the deposit or any
10 portion ~~thereof~~ of the deposit. The lessor may withhold from ~~such the~~ deposit only ~~such~~
11 the amounts ~~as are~~ reasonably necessary to remedy tenant defaults in the payment of
12 rent or of other funds due to the landlord pursuant to an agreement or to restore the
13 premises to ~~their~~ the condition at the commencement of the tenancy, ordinary wear and
14 tear excepted. Within forty-five days after termination of the tenancy, upon request of the
15 lessee, the lessor shall provide the lessee with an itemized accounting of any deposit
16 withheld.

17 Any lessor of residential premises who fails to comply with this section shall forfeit
18 all rights to withhold any portion of ~~such the~~ deposit.

19 The bad faith retention of a deposit or any portion of a deposit by a lessor of
20 residential premises in violation of this section, including failure to provide the written
21 statement and itemized accounting required by this section, ~~shall subject~~ subjects the
22 lessor to punitive damages not to exceed two hundred dollars.

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