



## 2026 South Dakota Legislature

# House Bill 1014

*Introduced by: The Chair of the Committee on Judiciary at the request of the Chief Justice*

1 **An Act to modify the surcharge for a responding party in a forcible entry and  
2 detainer action.**

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

4 **Section 1. That § 16-2-58.2 be AMENDED:**

5 **16-2-58.2.** For the answer or initial responsive pleading ina circuit court  
6 proceedings proceeding not subject to § 16-2-58.1, the clerk of courts shall collect the  
7 sum of twenty-five dollars as a commission on equal access to our courts surcharge. The  
8 clerk shall collect the surcharge~~shall be collected by the clerk~~ in the manner in which  
9 other fees are collected.~~No responsive~~ The surcharge maynot be collected in any civil  
10 action or proceedingwherein:

11 (1) For forcible entry and detainer;  
12 (2) Wherein the responding party is the state, county, a municipality, or a school  
13 district;~~;~~ or~~if~~  
14 (3) If the responding party is receiving assistance benefits under title 28.

15 The responsive surcharge may be waived pursuant to the provisions of §§ 16-2-  
16 29.2 and 16-2-29.3.