



2026 South Dakota Legislature

Senate Bill 149

Introduced by: **Senator Larson**

1 **An Act to exempt one motor vehicle of a debtor from being taken by legal process.**

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

3 **Section 1. That § 43-45-2 be AMENDED:**

4 **43-45-2.** ~~The~~ Except as otherwise provided by law, the following property
 5 mentioned in this section is absolutely exempt from all such process, any levy, process,
 6 or sale, except as otherwise provided by law:

- 7 (1) All of the debtor's family pictures;
- 8 (2) A pew or other ~~sitting~~ seating in any house of worship;
- 9 (3) A lot or lots in any burial ground;
- 10 (4) The debtor's family Bible and all schoolbooks used by the family, and all other
 11 books used as a part of the family library, not exceeding ~~in value~~ two hundred
 12 dollars in value;
- 13 (5) All wearing apparel and clothing of the debtor and ~~his~~ the debtor's family;
- 14 (6) The provisions for the debtor and ~~his~~ the debtor's family necessary for one year's
 15 supply, either provided or growing, or both, and fuel necessary for one year;
- 16 (7) All property in this state of the ~~judgment~~ debtor if ~~the~~ there is a judgment is against
 17 the debtor in favor of any state for failure to pay that state's income tax on benefits
 18 received from a pension or other retirement plan while the ~~judgment~~ debtor was a
 19 resident of this state;
- 20 (8) Any health ~~aids~~ aid professionally prescribed to the debtor or ~~to a dependant~~ a
 21 dependent of the debtor;
- 22 (9) Any court ordered domestic support award of alimony, maintenance, or other
 23 support of the debtor, which is not a gross or lump sum and does not exceed seven
 24 hundred fifty dollars per month; and
- 25 (10) A debtor's interest in one motor vehicle, as defined in § 32-5-1, not to exceed five
 26 thousand dollars in value over any security interests and liens upon on the vehicle.