



2026 South Dakota Legislature

Senate Bill 238

Introduced by: **Senator Rohl**

1 **An Act to authorize the removal of occupants from certain short-term lodging**
 2 **accommodations, and to provide a penalty therefor.**

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

4 **Section 1. That a NEW SECTION be added to chapter 43-32:**

5 A hotel, campground, or RV park may eject an individual from the premises if the
 6 individual fails to check out of the accommodation or fails to pay for the accommodation
 7 by the scheduled check-out time.

8 Prior to ejecting an individual from the premises, the hotel, campground, or RV
 9 park shall, by electronic mail, text message, or printed paper, request the individual depart
 10 from the premises. If an individual fails to depart from the premises within twenty-four
 11 hours of receiving the request, the hotel, campground, or RV park may request a law
 12 enforcement officer to remove the individual from the premises.

13 An individual who refuses to depart from premises within twenty-four hours after
 14 receiving the request after failing to check out of the accommodation or failing to pay for
 15 the accommodation by the scheduled check-out time, in accordance with this section, is
 16 guilty of a Class 1 misdemeanor.

17 An individual wrongly ejected from an establishment premises may bring a civil
 18 action for equitable relief, damages sustained, and reasonable attorney's fees.