



2026 South Dakota Legislature
House Bill 1014
ENROLLED

AN ACT

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

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

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

16-2-58.2. For the answer or initial responsive pleading in a circuit court proceeding not subject to § 16-2-58.1, the clerk of courts shall collect the sum of twenty-five dollars as a commission on equal access to our courts surcharge. The clerk shall collect the surcharge in the manner in which other fees are collected. The surcharge may not be collected in any civil action or proceeding:

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

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

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

I certify that the attached Act originated in the:

House as Bill No. 1014

Received at this Executive Office
this ____ day of _____,
2026 at _____ M.

Chief Clerk of the House

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2026

Attest:

Chief Clerk of the House

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2026
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1014
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State