

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

843Q0660

HOUSE BILL NO. 1225

Introduced by: Representatives Krebs, Brunner, Dreyer, Gibson, Hunt, Kirkeby, Lucas, Romkema, Schlekeway, Street, Turbiville, Verchio, and Wismer and Senators Jerstad, Ahlers, Hansen (Tom), Miles, and Nelson

1 FOR AN ACT ENTITLED, An Act to require certain authorization for the installation of certain
2 fixtures on rental property and to establish penalties related thereto.

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

4 Section 1. Any person who installs a fixture, including an antenna, a satellite dish, or other
5 receiver, on the residential real property of another without the consent of the landlord or owner
6 is guilty of a Class 2 misdemeanor. In addition, that person is subject to treble damages for any
7 damage caused by the installation of the fixture and treble damages are deemed to be at least
8 two hundred dollars.

9 Section 2. Any contract for the provision of a service which requires the installation of a
10 fixture, including an antenna, a satellite dish, or other receiver, on the residential real property
11 of the customer shall include directly below the signature line for the customer's acceptance of
12 the contract a statement in at least ten-point bold-faced type: "The signature of the landlord, not
13 the tenant, is required below for installation. Failure to receive the landlord's signature may
14 subject the tenant and installer to criminal and civil liability." Directly below that statement shall



1 be a signature line for the owner or landlord to approve the installation. Directly below that
2 signature line for the owner or landlord shall be a statement in at least ten-point bold-faced type:
3 "Signature of landlord or owner." Improper signature subjects signer and installer to criminal
4 and civil penalties. Any service provider that fails to include the statements required by this
5 section is subject to a civil penalty of one thousand dollars for each violation.

6 Section 3. Any tenant who signs the landlord's authorization of installation without the
7 consent of the landlord, is guilty of a Class 2 misdemeanor. In addition, the tenant is subject to
8 treble damages for any damage caused by the installation and treble damages are deemed to be
9 at least two hundred dollars which may be immediately removed from any damage deposit,
10 which the landlord may require replaced as a condition of continuing the lease.