

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

843Q0660

HOUSE LOCAL GOVERNMENT ENGROSSED NO. **HB 1225** - 2/19/2009

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

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



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

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