

Chapter 75
(Senate Bill 90)

**An Act to revise and repeal provisions related to forcible entry and
detainer.**

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

Section 1. That § 21-16-2 be REPEALED:

~~In all cases arising under subdivisions 21-16-1(4), (5), and (6), three days' written notice to quit must be given to the lessee, subtenant, or party in possession, before proceedings can be instituted, and may be served and returned in like manner as a summons is served and returned. On the second service attempt, at least six hours after the previous service attempt, the notice to quit may be posted in a conspicuous place on the property, and also delivered to a person there residing, if such person can be found; and also sent by first class mail addressed to the tenant at the place where the property is situated.~~

Section 2. That § 21-16-7 be AMENDED:

21-16-7. The time for appearance and pleading shall be four five days from the time of service on the defendant or thirty days after the publication of service under § 21-16-6.1, whichever occurs sooner. No adjournment or continuance shall be made for more than fourteen days, unless the defendant applying therefor shall give an undertaking to the plaintiff with good and sufficient surety to be approved by the court, conditioned for the payment of the rent that may accrue, together with costs if judgment be rendered against the defendant.

Signed March 14, 2024
