

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

708S0095

SENATE LOCAL GOVERNMENT ENGROSSED NO. **SB 73** - 1/26/2011

Introduced by: Senators Maher, Bradford, Nygaard, and Rhoden and Representatives Olson (Betty), Feickert, Kirkeby, and Verchio

1 FOR AN ACT ENTITLED, An Act to establish a preference for veterans and disabled persons
2 when leasing residential property owned by counties.

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

4 Section 1. That § 7-30-14 be amended to read as follows:

5 7-30-14. ~~If such~~ Any real estate ~~is to be~~ leased for ~~residence~~ residential purposes only, ~~and~~
6 which does not include the lease of any agricultural or grazing lands, it may be leased on terms
7 of month-to-month leasing by resolution of the county commissioners without public auction
8 or advertising. The resolution of the county commissioners ~~in such cases shall recite~~ shall
9 include the monthly rental ~~of such~~ fee of the property. If any person ~~shall offer~~ offers to pay in
10 advance a monthly rental fee twenty-five percent in excess of the rental ~~then being~~ fee currently
11 paid for ~~such residence~~ the residential property, the county commissioners ~~must~~ may accept the
12 ~~same offer~~ upon deposit of ~~such~~ the rental fee in advance. However, if the residential property
13 is currently leased to a veteran or a person who is disabled, the county commissioners may deny
14 the offer. For the purposes of the this section, the term, disabled, means any person who receives



1 or is qualified to receive monetary payments, pursuant to Title II, X, XIV, or XVI of the Social
2 Security Act, as amended to January 1, 2011.

3 Section 2. That § 7-30-10 be amended to read as follows:

4 7-30-10. The commissioners ~~are authorized to~~ may rent ~~such residential~~ property for
5 residence purposes only ~~for a term not exceeding one year, and subject to the right of sale of the~~
6 ~~same by the county, and~~ without any guaranty of title and possession by the county, ~~provided~~
7 ~~the leasing of such property for a term longer than one month has been advertised and the~~ but
8 not to exceed one year. The property shall be advertised and let to the highest bidder at the
9 annual leasing of other county real estate. ~~In such cases the~~ The county commissioners may
10 grant a preference to any veteran or disabled person, as that term is defined in § 7-30-14, when
11 letting the bid. The residential property shall be subject to the right of sale by the county. The
12 rent shall be payable monthly in advance and the commissioners may require security for
13 payment of the ~~same in their discretion. Upon default in~~ rent. If the tenant defaults in the
14 payment of any ~~such~~ rent, the tenant may be evicted under any procedure provided by law for
15 eviction in leases of private property.