

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

725B0527

HOUSE BILL NO. 1153

Introduced by: Representative Kredit and Senator Shoener

1 FOR AN ACT ENTITLED, An Act to provide for the succession to a vehicle dealership by a
2 legal heir or devisee.

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

4 Section 1. That chapter 32-6B be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No franchisor may prevent or refuse to honor the succession to a dealership by any legal heir
7 or devisee under the will of a dealer or under the laws of descent and distribution of this state
8 unless it is shown to the department, after notice and hearing, that the result of such succession
9 will be detrimental to the public interest and to the representation of the franchisor. Any dealer,
10 during the dealer's lifetime, may designate any person as the dealer's successor dealer by filing
11 a written instrument with the franchisor.