

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

349D0539

HOUSE JUDICIARY COMMITTEE ENGROSSED NO. **HB1137** - 1/27/00

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

Introduced by: Representatives Konold, Brooks, Davis, Diedtrich (Elmer), Earley, Engbrecht, Fischer-Clemens, Hennies, McNenny, Michels, Munson (Donald), Sebert, Smidt, Sutton (Daniel), Sutton (Duane), Volesky, and Wilson and Senators Rounds, Benson, Bogue, Brosz, Duxbury, Everist, Ham, Madden, Olson, and Shoener

1 FOR AN ACT ENTITLED, An Act to exempt real estate licensees from certain sex offender
2 notification provisions.

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

4 Section 1. That chapter 36-21A be amended by adding thereto a NEW SECTION to read
5 as follows:

6 No licensee representing a seller or landlord has a duty to investigate, volunteer, or disclose
7 information regarding a registered sex offender residing on or near the property.

8 Section 2. That chapter 36-21A be amended by adding thereto a NEW SECTION to read
9 as follows:

10 No licensee representing a buyer or tenant has a duty to investigate or volunteer information
11 regarding a registered sex offender residing on or near the property. However, upon inquiry by
12 the licensee's client, the licensee representing a buyer or tenant shall disclose to the client any
13 actual knowledge that the licensee may have regarding a registered sex offender residing on or
14 near the property.

1 **BILL HISTORY**

2 1/18/00 First read in House and referred to Judiciary. H.J. 119

3 1/24/00 Scheduled for Committee hearing on this date.

4 1/24/00 Judiciary Deferred to another day.

5 1/26/00 Judiciary Hog Housed.

6 1/26/00 Judiciary Do Pass Amended, Passed, AYES 11, NAYS 1. H.J. 252

7 1/26/00 Scheduled for Committee hearing on this date.