

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

400V0234

SENATE BILL NO. 45

Introduced by: The Committee on Commerce and Energy at the request of the South Dakota
Real Estate Commission

1 FOR AN ACT ENTITLED, An Act to revise the Real Estate Commission's grounds for
2 disciplinary actions on home inspectors.

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

4 Section 1. That § 36-21C-13 be amended to read as follows:

5 36-21C-13. The commission may refuse to grant or may suspend or revoke a home inspector
6 license or registration upon proof, to the satisfaction of the commission, that the holder has:

- 7 (1) Disclosed any information concerning the results of the home inspection without the
8 approval of a client or the client's representative;
- 9 (2) Accepted compensation from more than one interested party for the same service
10 without the written consent of all interested parties;
- 11 (3) Accepted commissions or allowances, directly or indirectly, from other parties
12 dealing with the holder's client in connection with work for which the holder is
13 responsible; ~~or~~
- 14 (4) Failed to disclose promptly to a client information about any business interest of the
15 holder which may affect the client in connection with the home inspection; or



1 (5) Been convicted, or pled guilty or nolo contendere before a court of competent
2 jurisdiction in this or any other state, or before any federal court, of a misdemeanor
3 involving moral turpitude or a felony arising under the laws of this state or under the
4 laws of the United States or any other state that would be a misdemeanor involving
5 moral turpitude or a felony under the laws of this state.