

South Dakota Abstracters' Board of Examiners

Licensure Requirements

In order to become a licensed abstractor in South Dakota, a person must complete the following requirements:

1. Complete an official [application](#)
2. Pass a written exam
3. File the appropriate bonds
4. Provide the Board with an impression of the abstractor's seal.
5. Possess an approved plant (set of abstracting books or indexes of abstracting records)
6. Pay the appropriate licensure fee

An applicant for registration as an abstractor must be a resident of South Dakota and a person of good moral character and careful, temperate habits.

If an applicant for licensure seeks registration for the purpose of qualifying a partnership, corporation, or other permitted firm to engage in abstracting, that person must meet the general licensure requirements as listed above. Also, the person must show under oath, either in the application for registration or by separate document to be filed with the board, that the applicant or some other legally registered abstractor will have personal contact with or responsible supervision of the operations of such partnership, corporation, or firm at all times. No partnership subject to [SDCL 37-11](#), the fictitious names statute, shall be qualified until it has complied with all the licensure requirements.

Examination

The South Dakota Abstracters' Licensure Examination consists of a written exam. Although authorized by statute to do so, the Board does not conduct an oral examination. The written portion of the exam shall test applicants on these general areas:

Laws affecting titles of property

Recording laws

Common practices, proceedings and mechanics of compiling abstracts of title

Take-off and abstracting of records

Elements of instruments of title essential to an abstract

Specifically, the examination includes:

Section I - Descriptions

Section II - Instruments

Section III - Code, Rules and Regulations

Section IV - Miscellaneous
Section V - Title Insurance

A time limit of one hour will be given for each section.

The exam is graded on the scale of percentage, 100 percent being considered perfect; 80 percent is required for licensure. If an applicant fails any section of the exam, the Board may establish the applicant's credits on the sections the applicant passed and permit the applicant to be examined at a later date only on the sections that the applicant failed.

The board shall complete its grading of the exams within eight weeks of the date of examination and shall send notice by certified mail to each applicant. The notice of the board regarding the examination results shall specify the grade obtained by the applicant in each section of the examination.

To order study materials, you may download an [order form here](#). Send your completed order form and appropriate payment to:

SOUTH DAKOTA Abstracters BOARD OF EXAMINERS
P O BOX 239
CANTON SOUTH DAKOTA 57013
PHONE (605) 558-1030

Filing bonds

Further, any person seeking to engage in or continue the business of abstracting must file the required bonds with the Board. The first bond is in the applicant's name as the principal, the second bond is filed by the surety. The amount of the bonds is based on the population of the county in which the licensee will be doing abstracting as shown by the federal census last taken prior to the filing of the bond.

For counties with a population of 15,000 or less - \$25,000

For counties with a population of over 15,000 - \$50,000

A separate set of bonds is required for each county in which the applicant seeks to work.

Approved plant

Any person acting as an abstracter in South Dakota also must have a set of approved abstract books or an approved set of indexes or other records showing sufficiently and competently all instruments affecting the title to real estate which are on record of file in the office of the register of deed of each county in which the person is working or seeks to work as an abstracter. To view the general requirements for books, records and indexes, please see the administrative rules pertaining to Abstracters, specifically [ARSD chapter 20:36:04](#).

The abstractor's seal

Any person or firm furnishing abstracts of title to real property must additionally provide to the Board an impression of seal to be used by the person or firm. The seal shall include the name and location of such person or firm. Each abstract or certificate of title issued by the person or firm shall have the seal affixed.

Fees for licensure

The fee for initial licensure is the same as the fee required for renewal licenses (see below).

Licensure renewal

Licenses for abstract plants are renewable biennially. A plant license may be renewed beginning 30 days prior to the expiration of the license. In addition to the completion of the renewal license application, a licensee must also submit an affidavit avowing that the licensee has been continuously and actively engaged in the business of making and compiling abstracts of title during the life of the preceding certificate.

The fee for licensure renewal is \$1,000 for an applicant whose abstract plant is located in the following counties:

- Beadle
- Brookings
- Brown
- Codington
- Davison
- Lawrence
- Meade
- Minnehaha
- Pennington
- Yankton

The fee for an applicant whose abstract plant is located in any other county is \$300 - \$500.

Temporary certificate to practice

A temporary certificate to practice may be issued to a person in any county where:

1. no registered abstracter exists, or
2. where the only existing abstract plant has been destroyed so that its records and indexes are not available, or
3. where the certificate of the only qualified abstracter has been canceled for cause by order of the Abstracters' Board of Examiners.

A person seeking a temporary certificate must pass the Board's licensure exam and provide the appropriate bonds. In this circumstance only is the requirement of an approved abstract plant waived. No temporary certificate can be continued in effect for a term longer than four years.

The South Dakota Abstracters' Board of Examiners has converted its forms to the ADOBE .PDF format (Portable Document Format) which is both device and resolution independent. The printed version of these PDF documents will be similar regardless of the device used to print. In order to view, print or download these forms, you must have the free [ADOBE Acrobat Reader](#) for Windows, DOS or for Macintosh. You can download the Acrobat Reader for free if you do not yet have it installed on your computer. After you have downloaded the reader, you need to install it. Double click on the file that you downloaded and the software will install itself.

[Application for Abstracters' Examination and Licensure](#)

[Application for Title Plant Certificate of Registration](#)

[Application for Renewal of Title Plant Certificate of Registration](#)

[Abstractors Bond](#)

[Personal Financial Statement](#)