



## 2024 South Dakota Legislature

# House Bill 1026

Introduced by: **Representative** Krohmer

1 **An Act to clarify the requirement for the construction or expansion of a municipal**  
 2 **campground or tourist accommodation facility.**

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

4 **Section 1. That § 9-38-1 be AMENDED:**

5 **9-38-1.** Each municipality may establish, improve, maintain, and regulate public  
 6 parks, public squares, parkways, boulevards, swimming pools, camping, and other related  
 7 facilities within or without the municipality, and to issue its bonds therefor, as provided  
 8 by this title. A municipality may establish camping or tourist accommodation facilities if  
 9 there is no existing private campground, inspected and approved by the Department of  
 10 Health, located within fifteen miles of the ~~municipality~~ municipal campground or tourist  
 11 accommodation facility. However, a municipality may construct or expand camping or  
 12 tourist accommodation facilities if there is an existing private campground within fifteen  
 13 miles of the ~~municipality~~ municipal campground or tourist accommodation facility if the  
 14 owner of the existing campground approves the construction or expansion in writing. If  
 15 the private campground has more than one owner, the owners of the private campground  
 16 may only approve or refuse approval for the construction or expansion of the municipal  
 17 campground or tourist accommodation facility as a group.

18 Camping and tourist accommodation facilities established before July 1, 1970, are  
 19 deemed to have been established under the then existing authority to establish public  
 20 parks, and municipalities may continue to maintain and regulate the facilities. The  
 21 requirements of this section for the construction or expansion of a facility near an existing  
 22 private campground do not apply to a municipality that leases camping and tourist  
 23 accommodation facilities from the state which were in existence prior to January 1, 2017.