



2024 South Dakota Legislature

House Bill 1026

HOUSE LOCAL GOVERNMENT ENGROSSED

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. However, a municipality may
 11 construct or expand camping or tourist accommodation facilities if there is an existing
 12 private campground within fifteen miles of the municipality if the owner of the existing
 13 campground approves the construction or expansion in writing. If the private campground
 14 has more than one owner, the owners of the private campground may only approve or
 15 refuse approval for the construction or expansion of the municipal campground or tourist
 16 accommodation facility as a group.

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