



## 2024 South Dakota Legislature

# House Bill 1149

Introduced by: **Representative Drury**

1 **An Act to allow for a vacation home establishment and provide for municipal and**  
 2 **county regulation thereof.**

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

4 **Section 1. That a NEW SECTION be added to chapter 9-19:**

5 A municipality may not adopt or enforce an ordinance or other regulation that  
 6 expressly or effectively prohibits the use of a property as a vacation home establishment  
 7 as defined under § 34-18-1.

8 A municipality may adopt or enforce an ordinance or other regulation that  
 9 specifically regulates property used as a vacation home establishment only if the  
 10 regulations provide requirements regarding:

11 (1) Fire and building codes;

12 (2) Health and sanitation;

13 (3) Traffic control;

14 (4) Solid or hazardous waste and pollution control; or

15 (5) The designation of an emergency contact for the property.

16 **Section 2. That a NEW SECTION be added to chapter 7-18A:**

17 A county may not adopt or enforce an ordinance or other regulation that expressly  
 18 or effectively prohibits the use of a property as a vacation home establishment as defined  
 19 under § 34-18-1.

20 A county may adopt or enforce an ordinance or other regulation that specifically  
 21 regulates property used as a vacation home establishment only if the regulations provide  
 22 requirements regarding:

23 (1) Fire and building codes;

24 (2) Health and sanitation;

25 (3) Traffic control;

- 1 (4) Solid or hazardous waste and pollution control; or
- 2 (5) The designation of an emergency contact for the property.