

2024 South Dakota Legislature

House Bill 1149**AMENDMENT 1149B
FOR THE INTRODUCED BILL**

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

10 ~~only if the 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

22 ~~only if the regulations provide 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.~~

AMENDMENT