



2025 South Dakota Legislature

Senate Bill 36

Introduced by: The Chair of the Committee on Health and Human Services at the request of the Department of Health

1 **An Act to repeal the oath requirement for an application for a lodging establishment,**
 2 **campground, food service establishment, or mobile food service**
 3 **establishment license.**

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

5 **Section 1. That § 34-18-10 be AMENDED:**

6 **34-18-10.** Every owner of a lodging establishment, campground, food service
 7 establishment, or mobile food service establishment shall ~~annually secure~~ obtain a license
 8 before beginning the operation of the establishment or campground. The license must be
 9 renewed annually on or before ~~the first day of the license renewal period or before~~
 10 ~~beginning the operation of the establishment or campground after making proper~~
 11 ~~application~~ December thirty-first. To obtain or renew a license, an owner must apply on a
 12 form provided by the department, accompanied by the proper license fee.

13 The initial application form ~~shall be verified under oath and shall~~ must contain the
 14 following:

- 15 (1) The name and address of the establishment or campground and previous name, if
 16 changed due to a change in ownership;
- 17 (2) The name, address, and telephone number of the owner and operator of the
 18 establishment or campground;
- 19 (3) A specification of the type of license applied for;
- 20 (4) If for a lodging establishment license, a description of the size of the establishment
 21 and whether it has a water recreational facility;
- 22 (5) If for a campground license, a description of the size and type of the campground
 23 and whether it has a water recreational facility;
- 24 (6) If for a food service or mobile food service establishment license, a description of
 25 the size of the establishment;
- 26 (7) A license fee schedule; and

- 1 (8) A certification of consent to allow inspections of the establishment or campground
2 by authorized department inspectors during business hours upon the presentation
3 of identification.

4 **Section 2. That § 34-18-10.3 be REPEALED.**

- 5 ~~Unless there has been a change in the information or consent provided in the initial~~
6 ~~or any subsequent license application provided for in § 34-18-10, an application for annual~~
7 ~~renewal of the license does not have to be verified under oath.~~