



2025 South Dakota Legislature

House Bill 1154

Introduced by: **Representative Bathke**

1 **An Act to reduce the approval requirement for the construction or expansion of a**
 2 **municipal 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.~~ If there is more than one private campground within
 17 fifteen miles of the municipality, the municipality must obtain written approval from the
 18 owners of at least seventy-five percent of all private campgrounds before constructing or
 19 expanding a camping or tourist accommodation facility. If a private campground is under
 20 the ownership of multiple persons, the approval required by this section must be granted
 21 by one person, with authority to act on behalf of the multiple owners.

22 Camping and tourist accommodation facilities established before July 1, 1970, are
 23 deemed to have been established under the ~~then-existing~~ then-existing authority to
 24 establish public parks, and municipalities may continue to maintain and regulate the
 25 facilities. The requirements of this section for the construction or expansion of a facility
 26 near an existing private campground do not apply to a municipality that leases camping

1 and tourist accommodation facilities from the state ~~which~~ that were in existence prior to
2 January 1, 2017.