

2025 South Dakota Legislature

House Bill 1154**AMENDMENT 1154E
FOR THE HOUSE LOCAL GOVERNMENT ENGROSSED BILL**

1 **An Act to ~~reduce~~change the approval requirement for the construction or expansion**
2 **of a municipal ~~campground~~camping 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~~ If there is an existing
12 private campground within fifteen miles of the municipality if, the municipality may
13 construct or expand camping or tourist accommodation facilities if:

14 (1) The owner of the existing campground approves the construction or expansion
15 in writing. If the private campground has more than one owner, the owners of the private
16 campground may only approve or refuse approval for the construction or expansion of the
17 municipal campground or tourist accommodation facility as a group;

18 (2) For each cabin added to the municipal camping or tourist accommodation
19 facility, the municipality reduces the number of its existing campsites by one; and

20 (3) For each campsite added to the municipal camping or tourist accommodation
21 facility, the municipality reduces the number of its existing tent sites by one.

22 ~~If there is more than one private campground within fifteen miles of the~~
23 ~~municipality, the municipality must obtain written approval from the owners of at least~~
24 ~~seventy five percent of all private campgrounds before constructing or expanding a~~
25 ~~camping or tourist accommodation facility.~~

1 If there is an existing private campground within fifteen miles of the municipality,
2 the municipality must obtain written approval from the owner of the private campground
3 to construct or expand a municipal camping or tourist accommodation facility.

4 A municipality does not need approval from any private campground owner to add
5 to an existing municipal camping or tourist accommodation facility, provided:

6 (1) The municipality reduces the number of its existing campsites by one for each cabin
7 added;

8 (2) The municipality reduces the number of its existing tent sites by one for each
9 campsite added; and

10 (3) The municipality does not expand the total size of the existing municipal camping
11 or tourist accommodation facility.

12 If a private campground is under the ownership of multiple persons, the approval
13 required by this section must be granted by one person, with authority to act on behalf of
14 the multiple owners.

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