



2025 South Dakota Legislature

House Bill 1157

HOUSE ENGROSSED

Introduced by: **Representative Bathke**

1 **An Act to amend the maximum fee limit due when applying for a county drainage**
2 **permit.**

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

4 **Section 1. That § 46A-10A-30 be AMENDED:**

5 **46A-10A-30.** Any board or commission under the provisions of this chapter and
6 chapter 46A-11 may adopt a permit system for drainage. The permit system ~~shall~~ must
7 be prospective in nature. ~~Permits shall be granted and~~ consistent with the principles
8 outlined in § 46A-10A-20. The nonrefundable fee for a permit ~~shall be established~~ must
9 be:

10 (1) Established by the permitting authority, based;

11 (2) Based on the administrative costs of regulating drainage activities, may not exceed
12 one five hundred dollars, and shall be paid; and

13 (3) Paid only once, with the application. However, except that permitted drainage that
14 is enlarged, rerouted, or otherwise modified requires a new permit.

15 Any vested drainage right not recorded under the provisions of § 46A-10A-31
16 requires a permit for its use, if a permit system has been established in the county where
17 it exists.

18 Any person or the person's contractor draining water without a permit, if a permit
19 is required under the provisions of this section, is guilty of a Class 1 misdemeanor. In
20 addition to or in lieu of any criminal penalty, a court may assess, against any person
21 violating the provisions of this section, a civil penalty not to exceed one thousand dollars
22 per each day of violation.

23 A permit system is an official control.