



# 2025 South Dakota Legislature

## House Bill 1157

### ENROLLED

AN ACT

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

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

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

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

- (1) Established by the permitting authority;
- (2) Based on the administrative costs of regulating drainage activities, may not exceed five hundred dollars; and
- (3) Paid only once, with the application, except that permitted drainage that is enlarged, rerouted, or otherwise modified requires a new permit.

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

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

A permit system is an official control.

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

\_\_\_\_\_

I certify that the attached Act originated in the:

House as Bill No. 1157

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_

Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_,

2025 at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 2025

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2025  
at \_\_\_\_\_ o'clock \_\_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1157  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State