

## 2026 South Dakota Legislature

**Senate Bill 3****AMENDMENT 3A  
FOR THE INTRODUCED BILL**

1 **An Act to limit the types of residential improvements for which counties,**  
2 **municipalities, and townships may require a permit.**

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

4 **Section 1. That a NEW SECTION be added to chapter 11-10:**

5 Notwithstanding any authority granted to a county, municipality, or township to  
6 prescribe building codes or standards or to issue building permits, a county, municipality,  
7 or township may not require a building permit for:

8 (1) The repair or substantially similar replacement of any of the following existing  
9 exterior parts of an owner-occupied residential structure:

10 (a) Door, ~~if the dimensions remain the same;~~

11 (b) Downspout;

12 (c) Fencing panel or post;

13 (d) Gutter;

14 (e) Roof ~~flashing, shingles, shakes, or tiles~~ coverings and related  
15 weatherproofing components;

16 (f) Siding, ~~if nonstructural;~~ and

17 (g) Window, ~~if the dimensions remain the same;~~ or

18 (2) Any interior alteration, improvement, or renovation of an owner-occupied  
19 residential structure, which does not affect the structure's:

20 (a) Air conditioning, electric, heating, plumbing, or ventilation system in a  
21 manner requiring any load-bearing modification;

22 (b) Foundation;

23 (c) Load-bearing walls;

24 (d) Roof frame; or

25 (e) Support beams.

- 1 Nothing in this section relieves a homeowner from compliance with any other
- 2 applicable building code or ordinance.

AMENDED