

## 2026 South Dakota Legislature

**Senate Bill 3****AMENDMENT 3B  
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.

3           A county, municipality, or township may require building permits for repairs  
4           pursuant to this section or substantially similar replacements for exterior parts of any  
5           designated historical property as authorized under Chapter 1-19B.

AMENDED