

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.

ANNUAL INSPECTION