

2026 South Dakota Legislature

Senate Bill 3**AMENDMENT 3D
FOR THE HOUSE LOCAL GOVERNMENT ENGROSSED 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 the repair or substantially similar
8 replacement of any of the following existing exterior parts of ~~an a single-family~~ owner-
9 occupied residential structure:

10 (1) Door, if the dimensions remain the same;

11 (2) Downspout;

12 (3) Fascia,

13 (4) Fencing panel or post;

14 ~~(4)(5)~~ Gutter;

15 ~~(5)(6)~~ Siding, if nonstructural;

16 (7) Soffit; and

17 ~~(6)(8)~~ Window, if the dimensions remain the same.

18 Nothing in this section relieves a homeowner from compliance with any other
19 applicable building code or ordinance.

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