



2022 South Dakota Legislature

Senate Bill 100

Introduced by: **Senator Klumb**

1 **An Act to revise the requirement for approval from certain private campground**
 2 **owners for the construction or expansion of municipal campground and**
 3 **municipal tourist facilities.**

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

5 **Section 1. That § 9-38-1 be AMENDED:**

6 **9-38-1.** Each municipality may establish, improve, maintain, and regulate public
 7 parks, public squares, parkways, boulevards, swimming pools, camping, and other related
 8 facilities within or without the municipality, and to issue its bonds therefor, as provided
 9 by this title. A municipality may establish camping or tourist accommodation facilities if
 10 there is no existing private campground, inspected and approved by the Department of
 11 Health, located within fifteen miles of the municipality. However, a municipality may
 12 construct or expand camping or tourist accommodation facilities if there is an existing
 13 private campground within fifteen miles of the municipality if approval is provided from at
 14 least a two-thirds majority of all the owner of the existing campground approves
 15 campgrounds within fifteen miles of the municipality on the construction or expansion in
 16 writing. Approval from a campground must be in writing signed by at least one owner of
 17 the campground. Camping and tourist accommodation facilities established before July 1,
 18 1970, are deemed to have been established under the then existing authority to establish
 19 public parks, and municipalities may continue to maintain and regulate the facilities. The
 20 requirements of this section for the construction or expansion of a facility near an existing
 21 private campground do not apply to a municipality that leases camping and tourist
 22 accommodation facilities from the state which were in existence prior to January 1, 2017.