



## 2025 South Dakota Legislature

# House Bill 1154

### HOUSE LOCAL GOVERNMENT ENGROSSED

Introduced by: **Representative Bathke**

1 **An Act to reduce the approval requirement for the construction or expansion of a**  
 2 **municipal campground or tourist accommodation facility.**

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

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

5 **9-38-1.** Each municipality may establish, improve, maintain, and regulate public  
 6 parks, public squares, parkways, boulevards, swimming pools, camping, and other related  
 7 facilities within or without the municipality, and to issue its bonds therefor, as provided  
 8 by this title. A municipality may establish camping or tourist accommodation facilities if  
 9 there is no existing private campground, inspected and approved by the Department of  
 10 Health, located within fifteen miles of the municipality. ~~However, a municipality may~~  
 11 ~~construct or expand camping or tourist accommodation facilities if~~ If there is an existing  
 12 private campground within fifteen miles of the municipality ~~if,~~ the municipality may  
 13 construct or expand camping or tourist accommodation facilities if:

14 (1) The owner of the existing campground approves the construction or expansion in  
 15 writing. If the private campground has more than one owner, the owners of the  
 16 private campground may only approve or refuse approval for the construction or  
 17 expansion of the municipal campground or tourist accommodation facility as a  
 18 group;

19 (2) For each cabin added to the municipal camping or tourist accommodation facility,  
 20 the municipality reduces the number of its existing campsites by one; and

21 (3) For each campsite added to the municipal camping or tourist accommodation  
 22 facility, the municipality reduces the number of its existing tent sites by one.

23 If there is more than one private campground within fifteen miles of the  
 24 municipality, the municipality must obtain written approval from the owners of at least  
 25 seventy-five percent of all private campgrounds before constructing or expanding a  
 26 camping or tourist accommodation facility. If a private campground is under the ownership

1 of multiple persons, the approval required by this section must be granted by one person,  
2 with authority to act on behalf of the multiple owners.

3 Camping and tourist accommodation facilities established before July 1, 1970, are  
4 deemed to have been established under the ~~then-existing~~ then-existing authority to  
5 establish public parks, and municipalities may continue to maintain and regulate the  
6 facilities. The requirements of this section for the construction or expansion of a facility  
7 near an existing private campground do not apply to a municipality that leases camping  
8 and tourist accommodation facilities from the state ~~which~~ that were in existence prior to  
9 January 1, 2017.