



## 2025 South Dakota Legislature

# House Bill 1154

HOUSE ENGROSSED

Introduced by: **Representative Bathke**

1 **An Act to change the approval requirement for the construction or expansion of a**  
 2 **municipal camping 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 there is an existing~~  
 12 ~~private campground within fifteen miles of the municipality if the owner of the existing~~  
 13 ~~campground approves the construction or expansion in writing. If the private campground~~  
 14 ~~has more than one owner, the owners of the private campground may only approve or~~  
 15 ~~refuse approval for the construction or expansion of the municipal campground or tourist~~  
 16 ~~accommodation facility as a group.~~

17 If there is an existing private campground within fifteen miles of the municipality,  
 18 the municipality must obtain written approval from the owner of the private campground  
 19 to construct or expand a municipal camping or tourist accommodation facility.

20 A municipality does not need approval from any private campground owner to add  
 21 to an existing municipal camping or tourist accommodation facility, provided:

- 22 (1) The municipality reduces the number of its existing campsites by one for each cabin  
 23 added;  
 24 (2) The municipality reduces the number of its existing tent sites by one for each  
 25 campsite added; and

1       (3) The municipality does not expand the total size of the existing municipal camping  
2           or tourist accommodation facility.

3           If a private campground is under the ownership of multiple persons, the approval  
4           required by this section must be granted by one person, with authority to act on behalf of  
5           the multiple owners.

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