

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

248S0556

HOUSE BILL NO. 1099

Introduced by: Representatives Romkema and Turbiville and Senator Nelson (Tom)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding local historic
2 preservation projects.

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

4 Section 1. That chapter 1-19B be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Terms used in this chapter have the same meaning as defined in § 1-19A-2.

7 Section 2. That § 1-19B-62 be amended to read as follows:

8 1-19B-62. Any county or municipality may enact an ordinance requiring a county or
9 municipal historic preservation commission to review any undertaking, whether publicly or
10 privately funded, which will encroach upon, damage, or destroy any historic property included
11 in the national register of historic places or the state register of historic places. The ordinance
12 may require the issuance of a permit before any undertaking which will encroach upon, damage,
13 or destroy historic property may proceed. The decision to approve or deny a permit shall be
14 based on the ~~U.S. Department of the Interior Standards for Historic Preservation Projects~~
15 ~~codified in 36 C.F.R. 67 as of January 1, 1994~~ standards for historic preservation, restoration,



- 1 and rehabilitation projects adopted by rules promulgated pursuant to § 1-19A-29. Properties
- 2 owned by the State of South Dakota are exempt from local review.