2024 South Dakota Legislature

House Bill 1026

ENROLLED

AN ACT

ENTITLED An Act to clarify the requirement for the construction or expansion of a municipal campground or tourist accommodation facility.

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

Section 1. That § 9-38-1 be AMENDED:

9-38-1. Each municipality may establish, improve, maintain, and regulate public parks, public squares, parkways, boulevards, swimming pools, camping, and other related facilities within or without the municipality, and to issue its bonds therefor, as provided by this title. A municipality may establish camping or tourist accommodation facilities if there is no existing private campground, inspected and approved by the Department of Health, located within fifteen miles of the municipality. However, a municipality may construct or expand camping or tourist accommodation facilities if there is an existing private campground within fifteen miles of the municipality if the owner of the existing campground approves the construction or expansion in writing. If the private campground has more than one owner, the owners of the private campground may only approve or refuse approval for the construction or expansion of the municipal campground or tourist accommodation facility as a group.

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

An Act to clarify the requirement for the construction or expansion of a municipal campground or tourist accommodation facility.

I certify that the attached Act originated in the:

House as Bill No. 1026

_____
Chief Clerk

_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1026
File No. ____
Chapter No. _____

Received at this Executive Office
this _____ day of _____,

2024 at _____M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 2024

_____
Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 2024
at _____ o'clock __M.

_____
Secretary of State

By _____
Asst. Secretary of State