



2023 South Dakota Legislature

House Bill 1134

Introduced by: **Representative Shorma**

1 **An Act to require property owner consent before construction resulting in lake water**
2 **level alteration.**

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

4 **Section 1. That chapter 46-1 be amended with a NEW SECTION:**

5 Before any state agency or political subdivision may issue a permit authorizing the
6 construction of a channel, canal, ditch, outlet, or any other shoreline alteration, which the
7 issuing entity determines is likely to raise or lower the water level of a public lake, the
8 person seeking the permit shall submit to the issuing entity written evidence of consent
9 to the construction or alteration, provided by a majority of all the lakefront property
10 owners, excluding the permit seeker.

11 If multiple persons share an ownership interest in any parcel of affected lakefront
12 property, those persons are considered to be a single property owner for purposes of
13 determining majority consent under this section.