

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

741Z0281

HOUSE BILL NO. 1246

Introduced by: Representatives Mills and McCleerey and Senator Wiik

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding restricting
2 recreational use on inundated private property.

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

4 Section 1. That § 41-23-5 be amended to read:

5 41-23-5. Any nonmeandered lake overlying private property and any inundated private
6 property located outside of the meander line survey of a meandered lake that an ordinary high
7 water mark has not been established as of January 1, 2017, is open to recreational use without
8 permission of any owner of the private property underlying the ~~nonmeandered lake~~ water unless
9 the owner of the private property installs conspicuous markers, which may consist of signs or
10 buoys, to identify the area ~~of the nonmeandered lake~~ that is not open to public recreational use
11 without permission or agreement as provided under this chapter.

