



## 2023 South Dakota Legislature

# Senate Bill 157

Introduced by: **Senator Novstrup**

1 **An Act to exempt municipalities in certain counties from requirements related to**  
 2 **municipal campgrounds.**

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.

9 A municipality may establish camping or tourist accommodation facilities if ~~there~~  
 10 ~~is~~ no existing private campground, inspected and approved by the Department of Health,  
 11 is located within fifteen miles of the municipality.

12 ~~However, a~~ A municipality may construct or expand camping or tourist  
 13 accommodation facilities if ~~there is~~ an existing private campground is located within fifteen  
 14 miles of the municipality if the owner of the existing campground approves the  
 15 construction or expansion in writing. Camping and tourist accommodation facilities  
 16 established before July 1, 1970, are deemed to have been established under the then-  
 17 existing authority to establish public parks, and municipalities may continue to maintain  
 18 and regulate the facilities.

19 The requirements of this section for the construction or expansion of a facility near  
 20 an existing private campground do not apply to ~~a~~ a

21 (1) A municipality that leases camping and tourist accommodation facilities from the  
 22 state which that were in existence prior to January 1, 2017; or

23 (2) Municipalities in the counties of Beadle, Bennett, Bon Homme, Brookings, Brown,  
 24 Buffalo, Campbell, Charles Mix, Clark, Clay, Codington, Corson, Day, Deuel,  
 25 Dewey, Douglas, Edmunds, Faulk, Grant, Gregory, Hamlin, Hand, Harding,  
 26 Hutchinson, Hyde, Jerauld, Kingsbury, Marshall, McPherson, Mellette, Miner, Oglala

1 Lakota, Perkins, Potter, Roberts, Sanborn, Spink, Sully, Todd, Tripp, Turner, Union,  
2 and Ziebach.