

# State of South Dakota

NINETY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2017

965Y0047

## HOUSE BILL NO. 1116

Introduced by: Representatives Zikmund, Ahlers, Bordeaux, Clark, Frye-Mueller, Glanzer, Goodwin, Greenfield (Lana), Lesmeister, Marty, May, Mills, Otten (Herman), Pischke, Reed, Rhoden, Schoenfish, Smith, Soli, Tulson, and Willadsen and Senators Otten (Ernie), Bolin, Heinert, Kolbeck, Nesiba, Netherton, Rusch, Russell, Soholt, Stalzer, Sutton, and Wiik

1 FOR AN ACT ENTITLED, An Act to revise certain standards for new construction where a  
2 building code ordinance has not been adopted.

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

4 Section 1. That § 11-10-6 be amended to read:

5 11-10-6. The design standard for any new construction commenced after July 1, 2015,  
6 within the boundaries of any local unit of government that has not adopted an ordinance  
7 prescribing standards for new construction pursuant to § 11-10-5 shall be based on the 2015  
8 edition of the International Building Code as published by the International Code Council,  
9 Incorporated. For the purposes of this section, the 2009 International Energy Conservation Code  
10 is the required version of the International Energy Conservation Code within the International  
11 Building Code. Each local unit of government may adopt an ordinance allowing local  
12 administration and enforcement of the design standard. The provisions of this section do not  
13 apply to new construction for any one or two family dwelling, mobile or manufactured home,



1 townhouse, or farmstead and any accessory structure or building thereto. For purposes of this  
2 section the term, farmstead, means a farm or ranch, including any structure or building located  
3 on the land. The provisions of this section do not apply to any mobile or manufactured home  
4 as defined in chapter 32-7A which is used for purposes other than residential that is constructed  
5 in compliance with the applicable prevailing standards of the United States Department of  
6 Housing and Urban Development at the time of construction if the structure complies with  
7 applicable accessibility standards for the occupancy intended. The provisions of this section do  
8 not apply to any specialty resort or vacation home establishment as defined in chapter 34-18 that  
9 is constructed in compliance with the requirements of Group R-3 of the 2015 edition of the  
10 International Building Code.