



## 2024 South Dakota Legislature

# House Bill 1149

Introduced by: **Representative Drury**

1 **An Act to allow for a vacation home establishment and provide for municipal and**  
 2 **county regulation thereof.**

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

4 **Section 1. That a NEW SECTION be added to chapter 9-19:**

5 A municipality may not adopt or enforce an ordinance or other regulation that  
 6 expressly or effectively prohibits the use of a property as a vacation home establishment  
 7 as defined under § 34-18-1.

8 A municipality may adopt or enforce an ordinance or other regulation that  
 9 specifically regulates property used as a vacation home establishment only if the  
 10 regulations provide requirements regarding:

- 11 (1) Fire and building codes;  
 12 (2) Health and sanitation;  
 13 (3) Traffic control;  
 14 (4) Solid or hazardous waste and pollution control; or  
 15 (5) The designation of an emergency contact for the property.

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18 **Section 2. That a NEW SECTION be added to chapter 7-18A:**

19 A county may not adopt or enforce an ordinance or other regulation that expressly  
 20 or effectively prohibits the use of a property as a vacation home establishment as defined  
 21 under § 34-18-1.

22 A county may adopt or enforce an ordinance or other regulation that specifically  
 23 regulates property used as a vacation home establishment only if the regulations provide  
 24 requirements regarding:

- 25 (1) Fire and building codes;

- 1        (2) Health and sanitation;
- 2        (3) Traffic control;
- 3        (4) Solid or hazardous waste and pollution control; or
- 4        (5) The designation of an emergency contact for the property.
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