

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

285Y0627

HOUSE LOCAL GOVERNMENT ENGROSSED NO. **HB 1185** - 2/16/2017

Introduced by: Representatives Qualm, Beal, Haggar, Mickelson, Peterson (Kent), and Rounds and Senators Stalzer, Bolin, and Greenfield (Brock)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning recreational
2 facilities provided by municipalities.

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

4 Section 1. That § 9-38-1 be amended to read:

5 9-38-1. ~~Every~~ Each municipality may establish, improve, maintain, and regulate public
6 parks, public squares, parkways, boulevards, swimming pools, camping, and other related
7 facilities ~~in connection therewith~~ within or without the municipality, and to issue its bonds
8 therefor, as provided by this title. A municipality may establish camping or tourist
9 accommodation facilities if there is no existing private campground, inspected and approved by
10 the ~~South Dakota~~ Department of Health, located within fifteen miles of ~~such~~ the municipality.
11 However, a municipality may construct or expand camping or tourist accommodation facilities
12 if there is an existing private campground within fifteen miles of the municipality if the owner
13 of the existing campground approves ~~such~~ the construction or expansion in writing. Camping
14 and tourist accommodation facilities established ~~prior to~~ before July 1, 1970, are deemed to have



1 been established under the then existing authority to establish public parks, and municipalities
2 may continue to maintain and regulate ~~such~~ the facilities. The requirements of this section for
3 the construction or expansion of a facility near an existing private campground do not apply to
4 a municipality that leases camping and tourist accommodation facilities from the state which
5 were in existence prior to January 1, 2017.