



2021 South Dakota Legislature

Senate Bill 81

Introduced by: **Senator Bolin**

1 **An Act to authorize certain flags and flagpoles to be located on residential property**
 2 **within in a community improvement district.**

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

4 **Section 1.** That a NEW SECTION be added:

5 **7-25A-47. Flag--Display**

6 Any homeowner whose property is located within a community improvement
 7 district may display one portable, removable official United States flag, not larger than
 8 four and half feet by six feet and may additionally display the official South Dakota State
 9 flag or one portable, removable official flag, not larger than four and half feet by six feet,
 10 that represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard,
 11 or a POW MIA flag, regardless of any covenants, restrictions, bylaws, rules, or
 12 requirements of the district. The additional flag must be equal in size to or smaller than
 13 the official United States flag.

14 **Section 2.** That a NEW SECTION be added:

15 **7-25A-48. Flagpole--Display**

16 Any homeowner whose property is located within a community improvement
 17 district may erect a freestanding flagpole no more than twenty feet high on any portion of
 18 the homeowner's property, regardless of any covenants, restrictions, bylaws, rules, or
 19 requirements of the district, if the flagpole does not obstruct sightlines at intersections
 20 and is not erected within or upon an easement. The homeowner may further display from
 21 that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of
 22 the district, one official United States flag, not larger than four and half feet by six feet,
 23 and may additionally display one official South Dakota State flag or official flag that
 24 represents the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW

- 1 MIA flag. The additional flag must be equal in size to or smaller than the official United
- 2 States flag.
- 3 The flagpole specifications and display are subject to building codes imposed by
- 4 this state or appropriate local governing body.