



2022 South Dakota Legislature

House Bill 1114

Introduced by: **Representative Finck**

1 **An Act to revise a notice requirement for a hearing on the comprehensive plan in a**
2 **joint jurisdictional area.**

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

4 **Section 1. That § 11-6-10 be AMENDED:**

5 **11-6-10.** The legislative body of an incorporated municipality and a board of
6 county commissioners may jointly exercise the comprehensive planning and zoning
7 powers granted in this chapter and chapters 11-2 and 11-4 in a joint jurisdictional area
8 beyond the municipal corporate limits. The joint jurisdictional area, not to exceed six
9 miles, shall be delineated in a comprehensive plan but in no instance may the area extend
10 beyond a line equidistant from the corporate limits of any other municipality unless
11 otherwise agreed to by a majority vote of the governing body of each municipality having
12 a planning commission. Nothing contained in this chapter may be construed to amend or
13 repeal any provisions of chapter 49-34A.

14 The county and city planning commissions shall meet jointly and hold at least one
15 public hearing on the comprehensive plan. Notice of the time and place of the hearing
16 shall be given once by either the city or county at least ten days in advance by publication
17 in a legal newspaper. In addition, the board of county commissioners shall mail, at least
18 ten days in advance of the hearing, a copy of the notice by first class or certified mail,
19 addressed to the owner of any property within the proposed joint jurisdictional area.
20 Following the public hearing, each planning commission shall submit a recommendation
21 to their respective governing body.