



2024 South Dakota Legislature

Senate Bill 108

Introduced by: **Senator Duhamel**

1 **An Act to revise a provision related to retrocession of jurisdiction over federal**
 2 **enclaves.**

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

4 **Section 1. That § 1-1-1.1 be AMENDED:**

5 **1-1-1.1.** By appropriate executive order, the Governor may accept on behalf of
 6 the state, retrocession of full or partial jurisdiction, juvenile, criminal, or civil, over any
 7 roads, highways, or other lands in federal enclaves, excluding Indian reservations and
 8 federal enclaves outside the boundaries of an Indian reservation established for Indian
 9 use, within the state where ~~such~~ retrocession ~~has been~~ is offered by appropriate federal
 10 authority. Documents concerning ~~such action shall~~ the retrocession must be filed in the
 11 Office of the Secretary of State and in the office of the register of deeds of the county
 12 wherein ~~such~~ the lands are located. The documents must:

- 13 (1) State the subject matter for the jurisdiction offer;
 14 (2) Provide a metes-and-bounds description of the boundary of the jurisdiction offer;
 15 and
 16 (3) Indicate whether the request includes future expansions of land acquired for
 17 military purposes.

18 Upon the establishment of concurrent jurisdiction, any state or local agency may
 19 enter into a reciprocal agreement or memorandum of understanding with any agency of
 20 the United States for coordination and designation of responsibilities related to the transfer
 21 of jurisdiction.