



2026 South Dakota Legislature

House Bill 1052

Introduced by: The Chair of the Committee on Agriculture and Natural Resources at the request of the Game, Fish and Parks Commission

1 **An Act to authorize the transfer of certain surplus real property by the Department**
2 **of Game, Fish and Parks to the Spearfish Canyon Foundation for a public**
3 **purpose.**

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

5 **Section 1.** The Department of Game, Fish and Parks is authorized to transfer an existing
6 disused hydroelectric plant, to be used as a historic preservation site museum or for another
7 public purpose, to the Spearfish Canyon Foundation, for the maintenance of all or any portion
8 of the real property, together with any related personal property and improvements located
9 on the following real property:

10 Certain property described as Lot A in HMC Lot 2 of the Spearfish Placer of MS 439 located
11 in Section 17 – Township 5 North – Range 2 East of the H.H.M., Lawrence County, South
12 Dakota, comprising 3.75 acres, more or less.

13 The real property must be conveyed pursuant to a special warranty deed on the condition
14 that the title automatically reverts to the state if the real property ceases to be used for a
15 public purpose for two consecutive years.

16 **Section 2.** Any personal property and improvements on the real property, which are generally
17 considered a part of the real property described in section 1 of this Act, but which are not
18 specifically included in the legal description as set forth in section 1 of this Act, may be
19 transferred, as though specifically described, pursuant to this Act.

20 **Section 3.** Conveyance of title to the Spearfish Canyon Foundation must be:

- 21 (1) Made in the name of the State of South Dakota, acting by and through the
22 Department of Game, Fish and Parks;
23 (2) Executed in the manner provided by § 5-2-11; and

- 1 (3) Subject to all applicable constitutional and statutory reservations.