



## 2026 South Dakota Legislature

# Senate Bill 91

Introduced by: **Senator Nelson**

1 **An Act to clarify the procedure for petitioning a board of county commissioners for**  
 2 **a change to the comprehensive plan or zoning ordinances.**

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

4 **Section 1. That § 11-2-28.2 be AMENDED:**

5 **11-2-28.2.** ~~Following receipt of any A petition as provided in pursuant to § 11-2-~~  
 6 ~~28 or 11-2-28.1, the board must be filed with the county auditor, who shall present the~~  
 7 ~~petition to the board at its next regular or special meeting. Within forty-five days of the~~  
 8 ~~presentation, the commission shall hold a public hearing on the petition, subject to the~~  
 9 ~~requirements of § 11-2-19, and take action upon the petitioned request. Within forty five~~  
 10 ~~days of receipt by the board of any such petition, the county planning commission shall~~  
 11 ~~consider the requested action and § 11-2-29, and make a recommendation thereon on~~  
 12 ~~the petitioned request to the board.~~

13 Upon receipt of the commission's recommendation, the board must hold a public  
 14 hearing, subject to the requirements of § 11-2-19, and take action upon the petitioned  
 15 request, pursuant to § 11-2-30.