



2026 South Dakota Legislature

Senate Bill 92

Introduced by: **Senator Nelson**

1 **An Act to clarify the rights to appeal and refer certain decisions of boards of county**
2 **commissioners.**

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

4 **Section 1. That § 11-2-30 be AMENDED:**

5 **11-2-30.** ~~After the a hearing, the board shall by resolution or ordinance, as~~
6 ~~appropriate, either adopt or reject the on an amendment, supplement, change,~~
7 ~~modification, or repeal, with or without changes or supplement requested by the board~~
8 ~~pursuant to § 11-2-28 or in a petition pursuant to § 11-2-28 or 11-2-28.1, the board shall,~~
9 ~~by resolution or ordinance, as appropriate, either adopt or reject the requested action,~~
10 ~~with or without changes.~~

11 ~~Consideration of any changes to the proposed amendment, supplement, change,~~
12 ~~modification, or repeal requested action may only be done occur~~ if the time and place of
13 the hearing is published in a legal newspaper of the county, at least ten days in advance
14 ~~in a legal newspaper of the county. If adopted, the board shall of the hearing.~~

15 If the board adopts the requested action:

16 (1) The board must publish a notice of the fact of adoption decision once in a legal
17 newspaper of the county ~~and take;~~

18 (2) The decision takes effect on the twentieth day after publication, unless referendum
19 is invoked; and

20 (3) The provisions of § 11-2-22 are applicable to this section the decision.

21 If the board rejects the requested action, the provisions of §§ 7-8-27 to 7-8-32,
22 inclusive, are applicable to the rejection decision.