



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.