

2026 South Dakota Legislature

Senate Bill 92**AMENDMENT 92A
FOR THE INTRODUCED BILL**

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, the board must publish a notice of the fact of adoption decision once in a~~
17 ~~legal newspaper of the county and take;~~

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

20 ~~(3) pursuant to § 11-2-21.~~

21 The provisions of § 11-2-22 are applicable to this section the decision.

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