

2026 South Dakota Legislature

Senate Bill 91

AMENDMENT 91B FOR THE INTRODUCED BILL

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 office of the county auditor, who. The**
7 **county auditor shall present forward the petition to the board commission, or a person**
8 **designated by the commission, for consideration at its next regular or special meeting and**
9 **provide a copy to the board, or a person designated by the board. Within forty-five days**
10 **of the presentation, the commission shall hold a public hearing on the petition, subject to**
11 **the requirements of § 11-2-19, and take action upon the petitioned request. Within**
12 **forty-five days of receipt by the board of any such petition, the county planning**
13 **commission shall consider the requested action and § 11-2-29, and make a**
14 **recommendation thereon on the petitioned request to the board.**

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