



## 2026 South Dakota Legislature

# Senate Bill 91

SENATE LOCAL GOVERNMENT ENGROSSED

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