



2026 South Dakota Legislature

Senate Bill 92

SENATE LOCAL GOVERNMENT ENGROSSED

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 may only be done if the time and place of the hearing is published~~
13 ~~at least ten days in advance in a legal newspaper of the county. If adopted, the board~~
14 ~~shall~~

15 If the board adopts the requested action, the board must publish a notice of the
16 fact of adoption ~~once in a legal newspaper of the county and take effect on the twentieth~~
17 ~~day after publication.~~ pursuant to § 11-2-21.

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

19 If the board rejects the requested action, the provisions of §§ 7-8-27 to 7-8-32,
20 inclusive, are applicable.