



2026 South Dakota Legislature
House Bill 1107
ENROLLED

AN ACT

ENTITLED An Act to modify restrictions on lands for certain public purposes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 43-25-18.3 be AMENDED:

43-25-18.3. If, upon the hearing in an action pursuant to § 43-25-18.1, it appears to the satisfaction of the court that the allegations in the action are true and that, because of changed conditions or circumstances since the execution of an instrument of conveyance, it is impossible or impractical to continue to hold or use the lands for the purpose set forth in the instrument, the court may:

- (1) Enter a decree modifying, in whole or in part, any direction, limitation, or restriction established by the grantor of the instrument, so that the real property may be administered, managed, or pledged in any manner the court determines necessary to effectively accomplish, as near as possible under existing conditions, the general benevolent, charitable, educational, religious, or other public purpose set forth in the instrument; or
- (2) Authorize the grantee to sell the lands for the highest price obtainable, and direct that the proceeds of the sale of the lands be reinvested in a manner consistent with the purpose set forth in the original instrument.

An Act to modify restrictions on lands for certain public purposes.

I certify that the attached Act originated in the:
House as Bill No. 1107

Received at this Executive Office this ____ day of _____, 2026 at _____ M.

Chief Clerk of the House

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this _____ day of _____, A.D., 2026

Attest:

Chief Clerk of the House

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2026 at _____ o'clock ___ M.

Secretary of the Senate

Secretary of State

House Bill No. 1107
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State