



2024 South Dakota Legislature
House Bill 1127
ENROLLED

AN ACT

ENTITLED An Act to modify requirements for incorporating municipalities that are within three miles of another incorporated municipality.

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

Section 1. That § 9-3-1.1 be AMENDED:

9-3-1.1. A municipality may not be incorporated if any part of the proposed municipality lies within three miles of any point on the perimeter of the corporate limits of any incorporated municipality, unless:

- (1) The incorporated municipality refuses or fails to annex a territory that is contiguous to the incorporated municipality, and the contiguous territory has properly petitioned the municipality to be annexed thereto, as provided by § 9-4-1; or
- (2) The territory to be incorporated has a post office and:
 - (a) Is in a different county than the incorporated municipality; or
 - (b) The incorporated municipality has a population of less than five thousand.

An Act to modify requirements for incorporating municipalities that are within three miles of another incorporated municipality.

I certify that the attached Act originated in
the:
House as Bill No. 1127

Received at this Executive Office
this ____ day of _____,
2024 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this ____ day of
_____, A.D., 2024

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2024
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1127
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State