2024 South Dakota Legislature

Senate Bill 108

ENROLLED

AN ACT

ENTITLED An Act to revise a provision related to retrocession of jurisdiction over federal enclaves.

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

Section 1. That § 1-1-1.1 be AMENDED:

1-1-1.1. By appropriate executive order, the Governor may accept on behalf of the state retrocession of full or partial jurisdiction, juvenile, criminal, or civil, over any roads, highways, or other lands in federal enclaves, excluding Indian reservations and federal enclaves outside the boundaries of an Indian reservation established for Indian use, within the state where retrocession is offered by appropriate federal authority. Documents concerning the retrocession must be filed in the Office of the Secretary of State and in the office of the register of deeds of the county wherein the lands are located. The documents must:

(1) State the subject matter for the jurisdiction offer;

(2) Provide a metes-and-bounds description of the boundary of the jurisdiction offer; and

(3) Indicate whether the request includes future expansions of land acquired for military purposes.

Upon the establishment of concurrent jurisdiction, any state or local agency may enter into a reciprocal agreement or memorandum of understanding with any agency of the United States for coordination and designation of responsibilities related to the transfer of jurisdiction.

An Act to revise a provision related to retrocession of jurisdiction over federal enclaves.

I certify that the attached Act originated in the:

Senate as Bill No. 108

_____
Secretary of the Senate

_____
President of the Senate

Attest:

_____
Secretary of the Senate

_____
Speaker of the House

Attest:

_____
Chief Clerk

Senate Bill No. 108
File No. _____
Chapter No. _____

Received at this Executive Office this _____ day of _____,

2024 at _____M.

By _____
for the Governor

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

_____
Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 2024 at _____ o'clock ___M.

_____
Secretary of State

By _____
Asst. Secretary of State