



2021 South Dakota Legislature
Senate Bill 136
ENROLLED

AN ACT

ENTITLED An Act to change the criteria for a petition to vacate a highway.

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

Section 1. That § 31-3-6 be AMENDED.

31-3-6. Petition to locate, change, or vacate a highway.

Upon receiving a petition signed by two or more voters of an organized civil township, the board of supervisors, having jurisdiction, shall provide for a public hearing, as required by § 31-3-7, and after consideration of all information, opinions, and arguments presented, may, except as provided in §§ 31-3-12 and 31-3-44, vacate, change, or locate a highway in the township, if the public interest will be better served by the action.

Upon receiving a petition signed by voters of the county, at least equal in number to one percent of those who cast ballots in the county during the last gubernatorial election, the board of county commissioners, having jurisdiction, shall provide for a public hearing, as required by § 31-3-7, and after consideration of all information, opinions, and arguments presented, may, except as provided in §§ 31-3-12 and 31-3-44, vacate, change, or locate a highway in the county, if the public interest will be better served by the action.

Upon receiving a petition signed by two thirds of the adjacent landowners or all adjacent landowners if there are fewer than three, the board of county commissioners, having jurisdiction, shall provide for a public hearing, as required by § 31-3-7, and after consideration of all information, opinions, and arguments presented, may vacate the highway, if the public interest will be better served by the action.

The petition must set forth the beginning, course, and termination of the highway proposed to be located, changed, or vacated and, if applicable, the name of each person owning the land through which the proposed highway may pass.

An Act to change the criteria for a petition to vacate a highway.

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

Senate as Bill No. 136

2021 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby approved this _____ day of _____, A.D., 2021

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2021
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 136
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State