



2021 South Dakota Legislature

Senate Bill 69

Introduced by: **Senator Duvall**

1 **An Act to correct certain provisions with incorrect cross references regarding county**
 2 **road district boundaries.**

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

4 **Section 1.** That § 31-12A-5.1 be AMENDED.

5 **31-12A-5.1. Territory within subdivision jurisdiction of municipality--**
 6 **Requirement for approval of petition.**

7 If any territory is within the subdivision jurisdiction of a municipality, the petition
 8 for the incorporation described in § 31-12A-3 shall first be submitted to the municipality's
 9 governing body for approval at its discretion, and upon approval shall be presented to the
 10 county board of commissioners. ~~If any territory is outside the subdivision jurisdiction of a~~
 11 ~~municipality, but within the subdivision jurisdiction of the county, the board may, subject~~
 12 ~~to its discretion, approve the petition pursuant to § 31-12A-5. However, if any territory is~~
 13 ~~not within the subdivision jurisdiction of a municipality or the county then the county board~~
 14 ~~shall approve the petition pursuant to § 31-12A-5.~~