

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

400T0439

SENATE TRANSPORTATION ENGROSSED NO. **SB 22** - 1/30/2012

Introduced by: The Committee on Transportation at the request of the Office of School and Public Lands

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the vacation or the
2 change of location of county and township highways on school and public lands.

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

4 Section 1. That § 31-3-6.1 be amended to read as follows:

5 31-3-6.1. Notwithstanding any other provisions of this chapter, no county or township may
6 vacate a highway which provides access to public lands. ~~For the purposes of this section, public~~
7 ~~land does not include any school and public lands.~~

8 Section 2. That § 31-18-3 be amended to read as follows:

9 31-18-3. The board of county commissioners may vacate or change the location of any
10 section-line highway ~~within its county~~ under its jurisdiction and the board of supervisors of an
11 organized township may vacate or change the location of any section-line highway ~~within its~~
12 ~~township~~ under its jurisdiction, as provided in this title, but neither board may vacate or change
13 any portion of the state trunk highway system or any highway constructed by state or federal aid
14 or any highway within the limits of a municipal corporation, ~~nor may~~. Also, a board of



1 supervisors may not vacate or change any portion of the county highway system, nor may a
2 board of county commissioners vacate or change any portion of the township road system. In
3 addition, no board of county commissioners or board of supervisors may vacate a section-line
4 highway which provides access to public lands. This section does not prohibit the closing of a
5 section-line highway to vehicular traffic if the highway is unsafe for vehicular traffic. ~~For the~~
6 ~~purposes of this section, public land does not include any school and public lands.~~