

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

474M0399

## SENATE BILL NO. 71

Introduced by: Senators Dempster, Duniphan, Kooistra, and Sutton (Dan) and  
Representatives Cutler and Thompson

1 FOR AN ACT ENTITLED, An Act to revise the voting requirements for certain actions taken  
2 by the board of adjustment.

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

4 Section 1. That § 11-4-23 be amended to read as follows:

5 11-4-23. The concurring vote of ~~three-fourths~~ at least two-thirds of the members of the  
6 board of adjustment ~~shall be~~ is necessary to reverse any order, requirement, decision, or  
7 determination of ~~any such~~ the administrative ~~official~~ officer, or to decide in favor of the  
8 applicant on any matter upon which ~~it~~ the board of adjustment is required to pass under any ~~such~~  
9 ordinance, or to effect any variation in ~~such~~ an ordinance.

