



2024 South Dakota Legislature  
**House Bill 1127**  
**ENROLLED**

AN ACT

**ENTITLED An Act to modify requirements for incorporating municipalities that are within three miles of another incorporated municipality.**

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

**Section 1. That § 9-3-1.1 be AMENDED:**

**9-3-1.1.** A municipality may not be incorporated if any part of the proposed municipality lies within three miles of any point on the perimeter of the corporate limits of any incorporated municipality, unless:

- (1) The incorporated municipality refuses or fails to annex a territory that is contiguous to the incorporated municipality, and the contiguous territory has properly petitioned the municipality to be annexed thereto, as provided by § 9-4-1; or
- (2) The territory to be incorporated has a post office and:
  - (a) Is in a different county than the incorporated municipality; or
  - (b) The incorporated municipality has a population of less than five thousand.

An Act to modify requirements for incorporating municipalities that are within three miles of another incorporated municipality.

\_\_\_\_\_  
I certify that the attached Act originated in  
the:  
House as Bill No. 1127

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_,  
2024 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
Speaker of the House

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

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2024  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1127  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State