

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

651Q0603

## SENATE BILL NO. 122

Introduced by: Senators Gillespie, Dempster, Nelson, and Tieszen and Representatives Bolin, Kirkeby, Lederman, and Vanderlinde

1 FOR AN ACT ENTITLED, An Act to clarify the status of property contiguous to a municipality  
2 that is crossed by railroad property.

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

4 Section 1. That § 9-4-1 be amended to read as follows:

5 9-4-1. The governing body of a municipality, upon receipt of a written petition describing  
6 the boundaries of any territory contiguous to that municipality sought to be annexed to that  
7 municipality, may by resolution include such territory or any part thereof within such  
8 municipality if the petition is signed by not less than three-fourths of the registered voters and  
9 by the owners of not less than three-fourths of the value of the territory sought to be annexed  
10 to the municipality.

11 For purposes of this section, "~~contiguous~~" the term, contiguous, includes territory separated  
12 from the municipality by reason of intervening ownership of land used as a golf course, railroad,  
13 or any land owned by the State of South Dakota or any subdivisions thereof.

