



## 2024 South Dakota Legislature

# House Bill 1240

Introduced by: **Representative Mills**

1 **An Act to permit a homeowner's association, development, or incorporated**  
2 **community to modify a restrictive covenant.**

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

4 **Section 1. That a NEW SECTION be added to chapter 11-5:**

5 If a declaration or contract in writing, as provided in § 11-5-2, fails to provide a  
6 provision permitting a modification to the declaration or contract, a vote of two-thirds of  
7 the owners of real property governed by the declaration or contract is required to modify  
8 the declaration or contract.