

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

682Y0006

HOUSE BILL NO. _____

Introduced by: _____

1 FOR AN ACT ENTITLED, An Act to establish the procedure for boundary line adjustments
2 to the river basin natural resource districts.

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

4 Section 1. That the code be amended by adding a NEW SECTION to read:

5 The councils of two adjoining river basin natural resource districts may mutually agree to
6 adjust the boundaries between the two districts by June first of any odd numbered year as
7 provided by this Act.

8 Section 2. That the code be amended by adding a NEW SECTION to read:

9 If at least fifty-one percent of the registered voters residing in a township request a proposed
10 boundary change to move their township from a district to an adjacent district, the voters shall
11 do so by filing a written request as provided by this section between January first and June first
12 of an odd numbered year.

13 A written request asking for the boundary line between adjoining river basin natural resource
14 districts to be adjusted shall be filed with the council of the district in which inclusion is
15 requested and the council of the district in which removal is requested. The written request shall
16 include:



- 1 (1) The name of the township effected by the proposed boundary change;
- 2 (2) Name of the district from which removal is requested;
- 3 (3) Name of the district from which inclusion is requested;
- 4 (4) The taxable value of all land to be removed and included in the proposal;
- 5 (5) A description of the existing district boundary line; and
- 6 (6) A description of the proposed new boundary line.

7 Within thirty days after the written request has been filed, each council shall publish public
8 notice of a joint council public hearing on the mutual agreement or written request at least twice,
9 with at least seven days between the publication dates, in at least one county legal newspaper
10 in each county of the affected districts, in accordance with chapter 17-2.

11 Section 3. That the code be amended by adding a NEW SECTION to read:

12 After a hearing pursuant to this Act, each council shall determine whether the operation of
13 the district within the proposed new boundaries would be administratively practicable and
14 feasible. A change in boundary may not impair the organization of the districts and shall follow
15 township boundaries. A failure to receive a majority vote of each affected council shall be
16 deemed a denial of the request.

17 Section 4. That the code be amended by adding a NEW SECTION to read:

18 Upon determination in favor of a proposed adjustment of district boundaries, each council
19 shall present to the secretary of state an application for a certificate evidencing the change of
20 boundary. The application shall be signed by at least four members of each council. The
21 application shall be accompanied by a statement of each council certifying that the boundary
22 between the districts has been changed in accordance with the procedures prescribed in this Act,
23 and set forth the approved new boundary line. Each council shall submit final boundary changes
24 to the county auditors no later than August first of the odd numbered year the two councils

1 mutually agree or the written request was submitted to the councils.