

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

921S0680

## HOUSE BILL NO. 1201

Introduced by: Representatives Boomgarden and Jones and Senator Nygaard

1 FOR AN ACT ENTITLED, An Act to revise auditing requirements for certain water-related  
2 special purpose districts.

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

4 Section 1. That § 46A-3D-4 be amended to read as follows:

5 46A-3D-4. The fiscal year of the water development district shall coincide with the calendar  
6 year. ~~The water development district board at~~ At the close of each year of business in which the  
7 district's revenues exceed two hundred fifty thousand dollars, the district board shall obtain an  
8 audit by the State Department of Legislative Audit, or an auditor approved by the State  
9 Department of Legislative Audit, of the books, records, and financial affairs of the water  
10 development district. A written report of the audit shall be kept on file in the principal place of  
11 business of the water development district and a copy of the report shall be filed in the Office  
12 of the Secretary of State and with the Board of Water and Natural Resources. Notice of  
13 availability of the audit report shall be promptly published in the official newspapers of the  
14 water development district. A water development district with revenues that do not exceed two  
15 hundred fifty thousand dollars may obtain a biennial audit as provided in this section. The



1 biennial audit shall include information from both years.

2 Section 2. That § 46A-6-52 be amended to read as follows:

3 46A-6-52. At the close of each fiscal year during which any loan agreement is in effect  
4 pursuant to § 46A-3D-18 or during which the irrigation district's revenues exceed two hundred  
5 fifty thousand dollars, the irrigation district shall obtain an audit by the State Department of  
6 Legislative Audit, or an auditor approved by the State Department of Legislative Audit, of the  
7 books, records, and financial affairs of the irrigation district. A written report of the audit shall  
8 be kept on file in the principal place of business of the irrigation district, and copies of the report  
9 shall be filed in the Office of the Secretary of State and with the Board of Water and Natural  
10 Resources. An irrigation district with revenues that do not exceed two hundred fifty thousand  
11 dollars may obtain a biennial audit as provided in this section. The biennial audit shall include  
12 information from both years.

13 Section 3. That § 46A-9-68 be amended to read as follows:

14 46A-9-68. The fiscal year of the water user district shall coincide with the calendar year. ~~The~~  
15 ~~board of directors, at~~ At the close of each year's business, if the district's revenues for the year  
16 exceed two hundred fifty thousand dollars, the district shall cause an audit of the books, records,  
17 and financial affairs of the district to be made by an experienced public accountant, copies of  
18 a written report of which audit, certified to by said auditors, the State Department of Legislative  
19 Audit, or an auditor approved by the State Department of Legislative Audit. A written report of  
20 the audit shall be placed and kept on file at the principal place of business of the district and  
21 shall be filed with the secretary of state and with the Board of Water and Natural Resources. A  
22 water user district with revenues that do not exceed two hundred fifty thousand dollars may  
23 obtain a biennial audit as provided in this section. The biennial audit shall include information  
24 from both years.

1 Section 4. That § 46A-14-79.1 be amended to read as follows:

2 46A-14-79.1. At the close of each fiscal year during which any loan agreement is in effect  
3 pursuant to § 46A-3D-18 or during which the watershed district's revenues exceed two hundred  
4 fifty thousand dollars, the watershed district shall obtain an audit by the State Department of  
5 Legislative Audit, or an auditor approved by the State Department of Legislative Audit, of the  
6 books, records, and financial affairs of the watershed district. A written report of the audit shall  
7 be kept on file in the principal place of business of the watershed district, and copies of the  
8 report shall be filed in the Office of the Secretary of State and with the Board of Water and  
9 Natural Resources. A watershed district with revenues that do not exceed two hundred fifty  
10 thousand dollars may obtain a biennial audit as provided in this section. The biennial audit shall  
11 include information from both years.

12 Section 5. That § 46A-18-71.1 be amended to read as follows:

13 46A-18-71.1. At the close of each fiscal year during which any loan agreement is in effect  
14 pursuant to § 46A-3D-18 or during which the water project district's revenues exceed two  
15 hundred fifty thousand dollars, the water project district shall obtain an audit by the State  
16 Department of Legislative Audit, or an auditor approved by the State Department of Legislative  
17 Audit, of the books, records, and financial affairs of the water project district. A written report  
18 of the audit shall be kept on file in the principal place of business of the water project district,  
19 and copies of the report shall be filed in the Office of the Secretary of State and with the Board  
20 of Water and Natural Resources. A water project district with revenues that do not exceed two  
21 hundred fifty thousand dollars may obtain a biennial audit as provided in this section. The  
22 biennial audit shall include information from both years.