



2022 South Dakota Legislature

House Bill 1156

ENROLLED

AN ACT

ENTITLED An Act to revise provisions regarding weed removal along highways.

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

Section 1. That § 31-31-2 be AMENDED:

31-31-2. The owner or occupant of any land abutting or adjoining upon township roads shall cut, remove, or destroy or cause to be cut, removed, or destroyed, grass, weeds, trees, crops, and brush growing on or in the right-of-way of such roads, provided that such roads are left in such condition that any and all undergrowth thereby or thereon can be cut with a mower. A violation of this section is a petty offense.

Section 2. That § 31-31-3 be AMENDED:

31-31-3. Grass, weeds, trees, crops, or brush referred to in §§ 31-31-1 and 31-31-2 must be cut, removed, or destroyed between the first day of September and the first day of October of each year, or between dates annually fixed by the board of supervisors.

Section 3. That § 31-31-5 be AMENDED:

31-31-5. If the owner or occupant of land abutting upon or adjoining township roads does not cut, remove, or destroy, or cause to be cut, removed, or destroyed, the grass, weeds, trees, crops, or brush in the right-of-way of such roads between the first day of September and the first day of October, or between the dates annually fixed by the board, the board of supervisors of the township in which the land is located may employ a person or persons to immediately cut and remove the grass, weeds, trees, crops, and brush on or in the right-of-way of such township roads with compensation at a rate to be fixed and paid by the board.

Section 4. That § 31-31-6 be AMENDED:

31-31-6. The voters at each annual township election shall by majority vote determine whether the amount paid for the cleanup of township roads pursuant to 31-31-5 must be paid for by the landowner or the township. If the vote is to have the landowner pay, the amount must be certified by the township clerk to the county auditor not later than November first of the same year. The amount must be extended on the tax list in a separate column headed "Removal or destruction of grass, weeds, crops, and brush on highways" and must become a tax on the land adjoining the highway where the grass, weeds, crops, and brush were cut or removed and must be collected as other taxes. If the vote is to have the township pay, the cost of cutting and removal of grass, weeds, crops, and brush must be paid out of township funds without extending such cutting and removal costs on the tax lists as tax on the land of the adjoining township landowner.

An Act to revise provisions regarding weed removal along highways.

 I certify that the attached Act originated in
 the:
 House as Bill No. 1156

Received at this Executive Office
 this _____ day of _____,
 2022 at _____ M.

 Chief Clerk

By _____
 for the Governor

 Speaker of the House

The attached Act is hereby
 approved this _____ day of
 _____, A.D., 2022

Attest:

 Chief Clerk

 Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

 President of the Senate

Attest:

Filed _____, 2022
 at _____ o'clock ___ M.

 Secretary of the Senate

 Secretary of State

House Bill No. 1156
 File No. _____
 Chapter No. _____

By _____
 Asst. Secretary of State