



2024 South Dakota Legislature

House Bill 1130

Introduced by: **Representative Reisch**

1 **An Act to revise water development district boundaries and taxing authority.**

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

3 **Section 1. That § 46A-3A-3 be AMENDED:**

4 **46A-3A-3.** The East Dakota Water Development District is hereby established. The
5 ~~East Dakota Water Development District~~ district includes ~~all~~:

6 (1) All of Minnehaha, Moody, Lake, Kingsbury, Brookings, Hamlin, Deuel, Codington
7 and Grant counties; Grafton, Belleview, Adams, Henden, Howard, Clearwater,
8 Canova and Vermillion townships in Miner County;

9 (2) All of Lake County, with the exception of Clarno, Concord, Orland, Wayne, and
10 Winfred townships;

11 (3) Badger township in Kingsbury County; and all

12 (4) All municipalities that are wholly or partially within the included area or that are
13 contiguous to the included area.

14 **Section 2. That § 46A-3A-7.1 be AMENDED:**

15 **46A-3A-7.1.** The Vermillion Basin Water Development District is hereby
16 established. The ~~Vermillion Basin Water Development District~~ district includes ~~all~~:

17 (1) All of Turner, McCook, and Clay counties;

18 (2) All of Kingsbury County, with the exception of Badger township;

19 (3) Clarno, Concord, Orland, Wayne, and Winfred townships in Lake County;

20 (4) Adams, Belleview, Canova, Clearwater, Grafton, Henden, Howard, and Vermillion
21 townships in Miner County; and

22 (5) All municipalities that are wholly or partially within the included area.

23 **Section 3. That § 46A-3E-1 be AMENDED:**

1 **46A-3E-1.** A water development district board of directors may levy taxes, not to
2 exceed thirty cents per thousand dollars of taxable valuation in the district, for
3 accomplishment of the purposes of chapters 46A-3A to 46A-3E, inclusive, and chapters
4 46A-1 and 46A-2. If an area is included in more than one water development district, that
5 area's tax levy payable to each of the water development districts ~~shall be~~ is determined
6 by multiplying the greater of the overlapping water development districts' levies by each
7 water development district's taxing fraction. Each water development district's taxing
8 fraction is determined by dividing that water development district's proposed tax levy for
9 the overlapped area by the sum of all water development districts' levies for the
10 overlapped area. ~~Any water development district for which boundaries are revised under~~
11 ~~§§ 46A-3A-2 to 46A-3A-7.1, inclusive, is not considered a new taxing district. If any water~~
12 ~~development district levied a tax pursuant to chapter 10-13 in a manner used by a new~~
13 ~~taxing district for taxes payable in 2010, such water development district shall revert to~~
14 ~~the amount of revenue payable to the district for taxes payable in 2009 including any~~
15 ~~excess levy approved pursuant to § 10-13-36 before July 1, 2002. The water development~~
16 ~~district may adjust the maximum amount of revenue payable for property taxes based on~~
17 ~~the growth and index factor for each year thereafter. Any excess levy approved by the~~
18 ~~water development district pursuant to § 10-13-36 before July 1, 2002, is null and void.~~

19 For the purposes of chapter 10-13, the Vermillion Basin Water Development
20 District, as revised in accordance with § 46A-3A-7.1, is a new taxing district, as of July 1,
21 2024. Any tax levied pursuant to chapter 10-13 for use by a new taxing district, may not,
22 for taxes payable in 2025 and 2026, exceed six cents per thousand dollars of taxable
23 valuation in the district.

24 For each year thereafter, the water development district may adjust the maximum
25 amount of revenue payable for property taxes based on growth and the index factor
26 pursuant to § 10-13-35.