

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

645B0609

## HOUSE BILL NO. 1323

Introduced by: Representatives Derby, Eccarius, and Hagg and Senator Whiting

1 FOR AN ACT ENTITLED, An Act to allow a first class municipality to assess property outside  
2 of the municipality's territorial limits with the consent of the county.

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

4 Section 1. That § 9-43-5 be amended to read as follows:

5 9-43-5. ~~Every~~ Any municipality ~~shall have power to~~ may make assessments for local  
6 improvements on property adjoining or benefited ~~thereby~~ by the assessments, to collect the ~~same~~  
7 assessments in the manner provided by law, and to fix, determine, and collect penalties for  
8 nonpayment of any special assessments. A first class municipality may make assessments outside  
9 the municipality's territorial limits if the municipality approves a resolution of necessity and the  
10 county in which the property lies approves the municipality's resolution of necessity.