

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

453D0378

HOUSE BILL NO. 1204

Introduced by: Representatives Crisp, Chicoine, Duenwald, Fryslie, and Slaughter and Senators
Vitter and Symens

1 FOR AN ACT ENTITLED, An Act to allow for the increase of drainage permit fees.

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

3 Section 1. That § 46A-10A-30 be amended to read as follows:

4 46A-10A-30. Any board or commission under the provisions of this chapter and chapter
5 46A-11 may adopt a permit system for drainage. Such permit system shall be prospective in
6 nature. Permits shall be granted consistent with the principles outlined in § 46A-10A-20. The fee
7 for a permit shall be established by the permitting authority, based on the administrative costs of
8 regulating drainage activities, may not exceed ~~twenty-five~~ one hundred dollars, and shall be paid
9 only once. However, permitted drainage which is enlarged, rerouted or otherwise modified shall
10 require a new permit. Any vested drainage right not recorded under the provisions of
11 § 46A-10A-31 shall require a permit for its use if a permit system has been established in the
12 county where it exists. Any person or his contractor draining water without a permit, if a permit
13 is required under the provisions of this section, is guilty of a Class 1 misdemeanor. In addition
14 to or in lieu of any criminal penalty, a court may assess against any person violating the
15 provisions of this section a civil penalty not to exceed one thousand dollars per each day of
16 violation. A permit system ~~shall be considered~~ is an official control.