

AN ACT

ENTITLED, An Act to establish certain penalties for failure to control weeds and pests.

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

Section 1. That chapter 38-22 be amended by adding thereto a NEW SECTION to read as follows:

If the county weed and pest board is requested by an individual to perform weed and pest control operations on the individual's property and the individual fails to reimburse the county by November first in the year in which the operations are performed, the cost of the control, plus an administrative fee of fifty dollars or ten percent of the cost of control, whichever is greater, shall be charged as taxes against each tract of land on which the expenses were incurred pursuant to § 38-22-23.14.

Section 2. That § 38-22-23.14 be amended to read as follows:

38-22-23.14. If the landowner fails or refuses to perform as required within the time designated, the county weed and pest board may proceed to perform the requirements. The board shall certify its expenses to the county auditor, and the auditor shall bill the landowner for the amount of the expenses, plus an administrative fee of fifty dollars or ten percent of the cost of control, whichever is greater. If the landowner has not paid the bill by November first of the calendar year in which the expenses were incurred, the amount of the bill shall be further increased by ten percent, and the adjusted amount shall be charged as taxes against each tract of land on which the expenses were incurred. The adjusted amount shall be collected as other taxes and credited to the general fund.

Section 3. That chapter 38-22 be amended by adding thereto a NEW SECTION to read as follows:

Any owner, occupant, or other person who maintains or exercises control or management over land who is issued a resolution by the county weed and pest board pursuant to § 38-22-23.13 for three consecutive years and fails to perform the minimum remedial requirements for control is subject

to a civil penalty of up to five hundred dollars. Any owner, occupant, or other person who maintains or exercises control or management over land on which the county weed and pest board has performed remedial requirements pursuant to § 38-22-23.14 for three consecutive years is subject to a civil penalty of up to five hundred dollars.

An Act to establish certain penalties for failure to control weeds and pests.

I certify that the attached Act
originated in the

SENATE as Bill No. 98

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 98

File No. _____

Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State