

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

490I0359

SENATE ENGROSSED NO. **HB 1081** - 02/12/2003

Introduced by: Representatives Pederson (Gordon) and Hennies and Senators Vitter and McCracken

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to annual elections,
2 conflicts of interest, and special assessments.

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

4 Section 1. That § 31-12A-15 be amended to read as follows:

5 31-12A-15. In each road district an annual election of officers shall be held on the first
6 Tuesday ~~after the anniversary date of the first election~~ in May at a place in the district as the
7 board of trustees shall designate. The election shall be conducted according to chapter 8-3, at
8 a meeting of the registered voters who reside in the road district.

9 Section 2. That § 31-12A-24 be amended to read as follows:

10 31-12A-24. No trustee or employee of a road district ~~shall~~ may be directly or indirectly
11 interested in any contract, work, or business of the district, or the sale of any article, the expense,
12 price, or cost of which is paid by ~~such~~ the district, nor in the purchase of any real, personal, or
13 other property belonging to the district, or which shall be sold for taxes or assessments, or by
14 virtue of legal process at the suit of ~~said~~ the district. No trustee may be a joint or co-owner of
15 land in the road district with an employee of the same road district.



1 Section 3. That § 31-12A-23 be amended to read as follows:

2 31-12A-23. The board of trustees ~~shall~~ have the power to cause the amount of any charges,
3 and interest and penalties thereon, for road district service rendered or made available to any land
4 within and part of the district, which are due and unpaid on the first day of October in each year
5 to be certified by the clerk of the district to the county auditor in the manner provided in
6 § 10-12-7 together with any taxes levied by the district for corporate purposes, and all amounts
7 so certified shall be inserted by the county auditor upon the tax list of the current year and shall
8 be payable and delinquent at the same time and shall incur penalty and interest and shall be
9 collected by the same procedure as real estate taxes on the same property. In the event of a tax
10 sale or the issuance of a tax deed, the provisions of §§ 9-43-39 to 9-43-41, inclusive, ~~shall~~ apply
11 to all amounts so certified and then delinquent, in the same manner as delinquent installments of
12 special assessments. Five percent of the landowners of the district may petition the board of
13 trustees for referendum of any special assessment. A majority of all the landowners of the road
14 district is required for approval of the special assessment. The referendum shall be governed, to
15 the extent applicable, by chapter 9-20.