

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

561P0142

SENATE ENGROSSED NO. **SB 107** - 1/31/2008

Introduced by: Senators Hunhoff, Abdallah, Albers, Dempster, Gant, Garnos, Gray, Hansen (Tom), Hanson (Gary), Hauge, Katus, Kloucek, Koetzle, Maher, McNenny, Sutton, Turbak Berry, and Two Bulls and Representatives Gilson, Bradford, Cutler, DeVries, Elliott, Feinstein, Hargens, Jerke, Kirkeby, Krebs, Lucas, Moore, Olson (Betty), Olson (Russell), Olson (Ryan), Putnam, Rounds, Van Etten, and Weems

1 FOR AN ACT ENTITLED, An Act to authorize county special assessments for certain
2 improvements, maintenance, and repair to roadways in unorganized townships.

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

4 Section 1. That chapter 31-13 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The board of county commissioners of any county in which an unorganized township is
7 located may implement in the unorganized township any improvement, maintenance, or repair
8 to any street or roadway that is otherwise authorized for townships pursuant to §§ 31-13-32 to
9 31-13-54, inclusive. In implementing the improvement, maintenance, or repair, the board of
10 county commissioners may exercise any applicable power and shall perform any applicable duty
11 that is available to or is required of a township board of supervisors under §§ 31-13-32 to 31-13-
12 54, inclusive.

13 Section 2. That § 31-13-51 be amended to read as follows:



1 31-13-51. The township board of supervisors ~~or, in the case of any township which is no~~
2 ~~longer organized, the board of county commissioners, prior to, before~~ the assessment of real
3 property within the township, ~~or unorganized township,~~ for the next fiscal year, may levy
4 annually for the purpose of maintaining or repairing street surfaces, whether of a permanent type
5 or not, a special front foot assessment ~~not to exceed eighty cents per front foot~~ not to exceed one
6 dollar and fifty cents per front foot upon the real property fronting and abutting the roadway.
7 ~~Such~~ The assessment shall be apportioned on a front foot basis and shall be levied pursuant to
8 § 31-13-52. ~~If the board of county commissioners is levying a special assessment on real~~
9 ~~property pursuant to this section, the board of county commissioners shall perform the duties,~~
10 ~~as applicable, that are required of the township board of supervisors pursuant to §§ 31-13-32~~
11 ~~to 31-13-54, inclusive.~~