2024 South Dakota Legislature

House Bill 1130

SENATE LOCAL GOVERNMENT ENGROSSED

Introduced by: **Representative** Reisch

1   **An Act to revise water development district boundaries.**

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

3   **Section 1. That § 46A-3A-3 be AMENDED:**

4   **46A-3A-3.** The East Dakota Water Development District is hereby established. The
5   ~~East Dakota Water Development District~~ district includes ~~all~~:
6   (1)   All of Minnehaha, Moody, ~~Lake, Kingsbury,~~ Brookings, Hamlin, Deuel, Codington
7   and Grant counties; ~~Grafton, Belleview, Adams, Henden, Howard, Clearwater,~~
8   ~~Canova and Vermillion townships in Miner County;~~
9   (2)   All of Lake County, with the exception of Clarno, Concord, Orland, Wayne, and
10   Winfred townships;
11   (3)   Badger township in Kingsbury County; and ~~all~~
12   (4)   All municipalities that are wholly or partially within the included area or that are
13   contiguous to the included area.

14   **Section 2. That § 46A-3A-7.1 be AMENDED:**

15   **46A-3A-7.1.** The Vermillion Basin Water Development District is hereby
16   established. The ~~Vermillion Basin Water Development District~~ district includes ~~all~~:
17   (1)   All of Turner, McCook, and Clay counties;
18   (2)   All of Kingsbury County, with the exception of Badger township;
19   (3)   Clarno, Concord, Orland, Wayne, and Winfred townships in Lake County;
20   (4)   Adams, Belleview, Canova, Clearwater, Grafton, Henden, Howard, and Vermillion
21   townships in Miner County; and
22   (5)   All municipalities that are wholly or partially within the included area.

23   **Section 3. That § 46A-3B-2.1 be AMENDED:**

1   **46A-3B-2.1.** For any water development district having director areas that will be
2   realigned as a result of ~~the provisions of~~ § 46A-3B-2, any director of the district who is in
3   office on January 1, ~~2009~~ 2024, shall continue to serve as a director if the director remains
4   a resident of the district. ~~At the first general election after January 1, 2009, for any such~~
5   ~~water development district, directors shall be elected for all director positions in the~~
6   ~~district, regardless of whether or not any director's term has expired. The directors elected~~
7   ~~for the district at the general election shall be elected to serve for staggered terms.~~
8   ~~Thereafter, directors shall be elected to four-year terms at each subsequent general~~
9   ~~election to succeed those directors whose terms expire at the end of the year in which the~~
10   ~~election is held.~~

11   **Section 4. That § 46A-3E-1 be AMENDED:**

12   **46A-3E-1.** A water development district board of directors may levy taxes, not to
13   exceed thirty cents per thousand dollars of taxable valuation in the district, for
14   accomplishment of the purposes of chapters 46A-3A to 46A-3E, inclusive, and chapters
15   46A-1 and 46A-2. If an area is included in more than one water development district, that
16   area's tax levy payable to each of the water development districts ~~shall be~~ is determined
17   by multiplying the greater of the overlapping water development districts' levies by each
18   water development district's taxing fraction. Each water development district's taxing
19   fraction is determined by dividing that water development district's proposed tax levy for
20   the overlapped area by the sum of all water development districts' levies for the
21   overlapped area. ~~Any water development district for which boundaries are revised under~~
22   ~~§§ 46A-3A-2 to 46A-3A-7.1, inclusive, is not considered a new taxing district. If any water~~
23   ~~development district levied a tax pursuant to chapter 10-13 in a manner used by a new~~
24   ~~taxing district for taxes payable in 2010, such water development district shall revert to~~
25   ~~the amount of revenue payable to the district for taxes payable in 2009 including any~~
26   ~~excess levy approved pursuant to § 10-13-36 before July 1, 2002. The water development~~
27   ~~district may adjust the maximum amount of revenue payable for property taxes based on~~
28   ~~the growth and index factor for each year thereafter. Any excess levy approved by the~~
29   ~~water development district pursuant to § 10-13-36 before July 1, 2002, is null and void.~~