AN ACT

ENTITLED, An Act to allow for the acquisition of the fee ownership of highway right-of way land for certain local governments.

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

Section 1. That § 31-19-42 be amended to read as follows:

31-19-42. Any first or second class municipality, county, township, or other governmental agency may acquire by gift, devise, or purchase, a fee ownership in real estate including right-of-way, for the construction and maintenance of the municipal, county, or township highway system, for the functional operation of the municipality, county, or township, and where, in relation to right-of-way acquisition, uneconomic remnants of land would be left to the original owner or where severance damages to a remainder make the acquisition of the entire tract or parcel more economical to the municipality or county. The Department of Transportation may acquire by gift, devise, or purchase, a fee ownership in real estate including right-of-way, for the construction and maintenance of the state highway system, for the functional operation of the department, and where, in relation to right-of-way acquisition, uneconomic remnants of land would be left to the original owner or where severance damages to a remainder make the acquisition of the entire tract or parcel more economical to the state. The department may not acquire fee ownership in right-of-way taken by condemnation proceedings.

An Act to allow for the acquisition of the fee ownership of highway right-of way land for certain local governments.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1214

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Chief Clerk

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_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1214
File No. ____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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

_____
Governor

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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