



2021 South Dakota Legislature

House Bill 1191

Introduced by: **Representative** Odenbach

1 **An Act to allow an expedited process for local intergovernmental legal disputes.**

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

3 **Section 1.** That a NEW SECTION be added:

4 **15-6-72.1. Local intergovernmental actions--Expedited action--Alternative**
 5 **dispute resolution.**

6 In order to facilitate the quick and efficient resolution of disputes, whenever two or
 7 more local governmental bodies are engaged in a legal dispute, on motion of any party
 8 or on its own, the court may order the parties to proceed:

- 9 (1) Under the expedited civil action process set out in §§ 15-6-73 to 15-6-76.1,
 10 inclusive, regardless of any amount in controversy; or
 11 (2) To alternative dispute resolution on such terms as the court may order.

12 **Section 2.** That a NEW SECTION be added:

13 **15-6-72.2. Definition--Local government body.**

14 For the purposes of § 15-6-72.1, the term, local government body, shall mean:

- 15 (1) Any county, municipality, township, or unincorporated territory;
 16 (2) Any organization that offers a public service, organized or authorized by a county,
 17 municipality, or township, including law enforcement, fire protection services, or
 18 emergency medical services; and
 19 (3) Any special district including ambulance districts under chapter 34-11A,
 20 conservation districts under chapter 38-8, consumer power districts under chapters
 21 49-35 through 49-40, drainage basis utility districts under chapter 46A-10B,
 22 improvement districts under chapter 7-25A, irrigation districts under chapters 46A-
 23 4 through 46A-7, predator control districts under chapter 40-37, public hospital
 24 districts under chapter 34-10, regional railroad authorities under chapter 49-17A,
 25 regional recycling and waste management districts under chapter 34A-16, road

1 districts under chapter 31-12A, rural fire protection districts under chapter 34-31A,
2 sanitary districts under chapter 34A-5, water development districts under chapters
3 46A-3A through 46A-3E, water project districts under chapter 46A-18, water user
4 districts under chapter 46A-9, or watershed districts under chapter 46A-14.