



2023 South Dakota Legislature

Senate Bill 145

Introduced by: **Senator Schoenfish**

1 **An Act to revise provisions pertaining to township eligibility for the rural access**
 2 **infrastructure fund.**

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

4 **Section 1. That § 31-34-4 be AMENDED:**

5 **31-34-4.** Applications for use of moneys allocated to a fund pursuant to this
 6 chapter must be submitted to the board of county commissioners on or before October
 7 thirty-first on forms prescribed by the association of county commissioners. The board of
 8 county commissioners shall award the moneys no later than the immediately following
 9 January fifteenth.

10 Applications from townships must be accompanied by a resolution approved by the
 11 township board of supervisors authorizing the application and any funding commitments
 12 made by the township. The township or county share is a minimum of twenty percent of
 13 the sum necessary to complete the project.

14 Applications for county secondary highways must be submitted by the county
 15 highway superintendent.

16 If a county declares a disaster, the deadline by which an application must be
 17 submitted is waived, provided that the application meets the other requirements of this
 18 section.

19 **Section 2. That § 31-34-6 be AMENDED:**

20 **31-34-6.** A requesting township shall timely file the township small structure
 21 improvement plan, pursuant to § 31-34-7, with the county highway superintendent and
 22 an annual report, pursuant to § 8-10-30, in order to be eligible for the funds. Any township
 23 requesting use of rural access infrastructure moneys pursuant to this chapter shall meet
 24 at least one of the following requirements:

- 1 (1) Impose an annual property tax levy of ~~fifty cents per thousand~~, pursuant to § 10-
- 2 12-28.2; or
- 3 (2) Impose a tax levy opt out pursuant to § 10-13-36.