

2023 South Dakota Legislature

House Bill 1107**AMENDMENT 1107A
FOR THE INTRODUCED BILL**

1 **An Act to allow townships to assess up to four dollars per front foot for a township**
2 **paved road in a paved development**~~and assess properties within three~~
3 ~~hundred feet of the paved road.~~

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

5 **Section 1. That § 31-13-51 be AMENDED:**

6 **31-13-51.** The township board of supervisors or, in the case of any township which
7 is no longer organized, the board of county commissioners, prior to the assessment of real
8 property within the township, or unorganized township, for the next fiscal year, may levy
9 annually for the purpose of maintaining or repairing street surfaces, whether of a
10 permanent type or not, a special front foot assessment not to exceed two dollars for a
11 gravel road, and four dollars for a paved road in a development, per front foot upon the
12 real property fronting and abutting the roadway ~~and any property that is located within~~
13 ~~three hundred feet that accesses the property via a paved road.~~ Such assessment shall
14 be apportioned on a front foot basis and shall be levied pursuant to § 31-13-52. If the
15 board of county commissioners is levying a special assessment on real property pursuant
16 to this section, the board of county commissioners shall perform the duties, as applicable,
17 that are required of the township board of supervisors pursuant to §§ 31-13-32 to 31-13-
18 54, inclusive.

19 For the purposes of this section, the term, development, includes a homeowner's
20 association or any neighborhood where the township roads were paved by a developer or
21 with the agreement of and payment by the property owners.