



2023 South Dakota Legislature

House Bill 1212

Introduced by: **Representative Mills**

1 **An Act to establish funds for the support of county projects and residents and make**
2 **an appropriation therefor.**

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

4 **Section 1.** Upon the effective date of this Act, the state treasurer shall transfer \$50,000,000
5 from the general fund and \$50,000,000 in American Rescue Plan Act State Fiscal Recovery
6 Fund monies to the Department of Revenue. Upon receipt of the transferred monies, the
7 secretary of the Department of Revenue shall allocate:

8 (1) \$50,000,000 from the general fund into each county's special county fund created
9 in section 2 of this Act as follows:

10 (a) Each fund receives a \$500,000 base allocation; and

11 (b) The remaining monies are distributed to the counties in a pro-rata fashion
12 based on population figures provided by the 2020 United States census;

13 (2) \$50,000,000 in American Rescue Plan Act State Fiscal Recovery Fund monies into
14 each county's ARPA county fund created in section 3 of this Act as follows:

15 (a) Each fund receives a \$500,000 base allocation; and

16 (b) The remaining monies are distributed to the counties in a pro-rata fashion
17 based on population figures provided by the 2020 United States census.

18 **Section 2. That chapter 10-1 be amended with a NEW SECTION:**

19 There is established in the state treasury a special county fund for each county in
20 the state. Monies in each special county fund are continuously appropriated for the
21 purposes provided in this section. A county, through the county's board of county
22 commissioners, may disburse some or all the monies for capital projects, including
23 infrastructure, housing infrastructure, incarceration facilities, rehabilitation facilities, or
24 other repairs and improvements the board determines are vital to county residents.

1 The secretary of the Department of Revenue shall release monies from a county's
2 special county fund after receiving a formal request from the board of county
3 commissioners to release a specified sum of money.

4 **Section 3. That chapter 10-1 be amended with a NEW SECTION:**

5 There is established in the state treasury an ARPA county fund for each county in
6 the state. Monies in each ARPA county fund are continuously appropriated for the purposes
7 provided in this section. A county, through the county's board of county commissioners,
8 may disburse some or all the monies for the following purposes:

- 9 (1) Directly to county residents, with income at or below three hundred percent of the
10 most recent federal poverty guidelines for the size of the household, on an
11 equalized, per-capita basis;
12 (2) Capital projects, including water and sewer infrastructure, affordable housing, or
13 other projects eligible for monies from the State Fiscal Recovery Fund; or
14 (3) Any combination of subsections (1) and (2).

15 The secretary of the Department of Revenue shall release monies from a county's
16 ARPA county fund after receiving a formal request from the board of county commissioners
17 to release a specified sum of money.

18 **Section 4.** The secretary of revenue shall approve vouchers and the state auditor shall draw
19 warrants to pay expenditures authorized by this Act.

20 **Section 5.** This Act is effective June 26, 2023.