AN ACT

ENTITLED, An Act to revise certain provisions relating to drainage utility fees in municipalities.

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

Section 1. That § 46A-10B-23 be amended to read as follows:

46A-10B-23. The governing body shall place all fees collected pursuant to §§ 46A-10B-20, 46A-10B-21, and 46A-10B-22 into a storm drainage fund or other fund established pursuant to § 46A-10B-28 to be used only for the purposes provided in this chapter, and reserved for the identified drainage basin for which fees are collected. If a municipality establishes a new drainage utility pursuant to § 9-40-1, it may transfer any funds within its control that were collected pursuant to this chapter into a separate drainage utility fund which may only be used to pay for new drainage improvements, maintenance of existing drainage improvements, and operation of the drainage utility.

Section 2. That chapter 9-40 be amended by adding thereto a NEW SECTION to read as follows:

A governing body that establishes a flood or drainage control utility may adopt the same fee structure authorized for drainage basin utility districts in §§ 46A-10B-20, 46A-10B-21, and 46A-10B-22. Any fees collected pursuant to this section shall be placed in a special fund and may only be used to pay for new drainage improvements, maintenance of existing drainage improvements, and operation of the drainage utility. The provisions of §§ 46A-10B-24, 46A-10B-25, and 46A-10B-28 also apply to any fees collected by a municipality pursuant to this section.

An Act to revise certain provisions relating to drainage utility fees in municipalities.

I certify that the attached Act originated in the

HOUSE as Bill No. 1107

_____
Chief Clerk

_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1107
File No. ____
Chapter No. _____

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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

_____
Governor

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