

2024 South Dakota Legislature

House Bill 1130**AMENDMENT 1130A
FOR THE INTRODUCED BILL**

1 **An Act to revise water development district boundaries and taxing authority.**

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

3 **Section 1. That § 46A-3A-3 be AMENDED:**

4 **46A-3A-3.** The East Dakota Water Development District is hereby established. The
5 ~~East Dakota Water Development District~~ district includes all:

6 (1) All of Minnehaha, Moody, Lake, Kingsbury, Brookings, Hamlin, Deuel, Codington
7 and Grant counties; Grafton, Belleview, Adams, Henden, Howard, Clearwater,
8 Canova and Vermillion townships in Miner County;

9 (2) All of Lake County, with the exception of Clarno, Concord, Orland, Wayne, and
10 Winfred townships;

11 (3) Badger township in Kingsbury County; and all

12 (4) All municipalities that are wholly or partially within the included area or that are
13 contiguous to the included area.

14 **Section 2. That § 46A-3A-7.1 be AMENDED:**

15 **46A-3A-7.1.** The Vermillion Basin Water Development District is hereby
16 established. The ~~Vermillion Basin Water Development District~~ district includes all:

17 (1) All of Turner, McCook, and Clay counties;

18 (2) All of Kingsbury County, with the exception of Badger township;

19 (3) Clarno, Concord, Orland, Wayne, and Winfred townships in Lake County;

20 (4) Adams, Belleview, Canova, Clearwater, Grafton, Henden, Howard, and Vermillion
21 townships in Miner County; and

22 (5) All municipalities that are wholly or partially within the included area.

23 **Section 3. That § 46A-3E-1 be AMENDED:**

1 **46A-3E-1.** A water development district board of directors may levy taxes, not to
2 exceed thirty cents per thousand dollars of taxable valuation in the district, for
3 accomplishment of the purposes of chapters 46A-3A to 46A-3E, inclusive, and chapters
4 46A-1 and 46A-2. If an area is included in more than one water development district, that
5 area's tax levy payable to each of the water development districts ~~shall be~~ is determined
6 by multiplying the greater of the overlapping water development districts' levies by each
7 water development district's taxing fraction. Each water development district's taxing
8 fraction is determined by dividing that water development district's proposed tax levy for
9 the overlapped area by the sum of all water development districts' levies for the
10 overlapped area. ~~Any water development district for which boundaries are revised under~~
11 ~~§§ 46A-3A-2 to 46A-3A-7.1, inclusive, is not considered a new taxing district. If any water~~
12 ~~development district levied a tax pursuant to chapter 10-13 in a manner used by a new~~
13 ~~taxing district for taxes payable in 2010, such water development district shall revert to~~
14 ~~the amount of revenue payable to the district for taxes payable in 2009 including any~~
15 ~~excess levy approved pursuant to § 10-13-36 before July 1, 2002. The water development~~
16 ~~district may adjust the maximum amount of revenue payable for property taxes based on~~
17 ~~the growth and index factor for each year thereafter. Any excess levy approved by the~~
18 ~~water development district pursuant to § 10-13-36 before July 1, 2002, is null and void.~~

19 ~~For the purposes of chapter 10-13, the Vermillion Basin Water Development~~
20 ~~District, as revised in accordance with § 46A-3A-7.1, is a new taxing district, as of July 1,~~
21 ~~2024. Any tax levied pursuant to chapter 10-13 for use by a new taxing district, may not,~~
22 ~~for taxes payable in 2025 and 2026, exceed six cents per thousand dollars of taxable~~
23 ~~valuation in the district.~~

24 ~~For each year thereafter, the water development district may adjust the maximum~~
25 ~~amount of revenue payable for property taxes based on growth and the index factor~~
26 ~~pursuant to § 10-13-35.~~