2026 South Dakota Legislature

Senate Bill 236

ENROLLED

AN ACT

ENTITLED An Act to create the county and township infrastructure fund for the accounting, safekeeping, and allocation of unobligated rural access infrastructure fund moneys.

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

Section 1. That § 31-34-3 be AMENDED:

31-34-3. Each county shall establish a rural access infrastructure fund for the deposit of moneys received pursuant to this chapter. The board of county commissioners may only distribute fund moneys for the following expenses:

(1) Engineering, hydrological studies, planning, materials, and other costs as necessary to plan for and complete the projects;

(2) Construction, rehabilitation, or replacement of small structures located in townships complying with the requirements of this chapter; and

(3) Construction, rehabilitation, or replacement of small structures described in a county highway and bridge improvement plan, which are located on county secondary highways.

The moneys may not be used on a no-maintenance road.

On June thirtieth of each third year, beginning in 2029, the county auditor shall transfer any unexpended moneys, not contractually obligated and approved under this chapter, to the state treasurer for deposit in the county and township infrastructure fund, created in section 2 of this Act.

Section 2. That a NEW SECTION be added to chapter 32-11:

There is created in the state treasury the county and township infrastructure fund. The fund consists of unobligated moneys transferred pursuant to § 31-34-3. Expenditures from the fund must be budgeted through the general appropriation bill. The Department of Revenue shall administer the fund. The purpose of the fund is to:

(1) Provide for the distribution of moneys to counties, in accordance with § 31-34-2; and

(2) Provide for the accounting and safekeeping of unobligated or unspent moneys distributed to rural access distribution funds, as provided in chapter 31-34.

An Act to create the county and township infrastructure fund for the accounting, safekeeping, and allocation of unobligated rural access infrastructure fund moneys.

I certify that the attached Act originated in the:

Senate as Bill No. 236

_____
Secretary of the Senate

_____
President of the Senate

Attest:

_____
Secretary of the Senate

_____
Speaker of the House

Attest:

_____
Chief Clerk of the House

Senate Bill No. 236
File No. _____
Chapter No. _____

Received at this Executive Office
this _____ day of _____,

2026 at _____M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 2026

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 2026
at _____ o'clock __M.

_____
Secretary of State

By _____
Asst. Secretary of State