

AN ACT

ENTITLED, An Act to revise provisions for accumulation of funds for certain municipal enterprises.

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

Section 1. That § 9-47-1 be amended to read:

9-47-1. Every municipality may construct, establish, operate, and maintain a system of waterworks and facilities in connection therewith; may regulate the distribution and use of water supplied thereby; may acquire a suitable supply of water, whether within or without the municipality; may maintain dams, reservoirs, intakes, spillways, conduits, or other devices to gather and store surface, flood, or other waters within or without the municipality either as a direct source of water to the municipality or as a supply of water from which any other source of the water supply of the municipality may be replenished or restored; may advantageously dispose of, to districts, subdivisions, and areas, outside the limits of the municipality to which supply lines may extend, any municipal supply of water, including stored water, not required or used for municipal purposes and any surplus water may be disposed of to any outside district where the water is delivered into a natural watercourse for irrigation purposes; may assess, levy, and collect taxes and special assessments for such purposes; and may appropriate funds and levy taxes to accumulate funds for such purposes, as provided by this title. The accumulated funds shall be placed in a separate fund which may not revert at the end of the fiscal year. The governing body shall establish a maximum amount allowed to be accumulated in the fund. The fund shall be established by a resolution adopted pursuant to chapter 9-19. Every municipality may enter into agreements with the United States, with the state, and with any authorized agency, subdivision, or unit of government, federal or state, to carry out such purposes.

Section 2. That § 9-21-14.1 be amended to read:

9-21-14.1. The governing body of a municipality may by resolution authorize the accumulation

of funds for a period longer than one year for specific capital outlay purposes otherwise authorized by law. For the purpose of this section, capital outlay purposes means purposes which result in the acquisition of or additions to plant, or equipment, including expenditures for land, existing facilities, improvement of grounds, construction of facilities, additions to facilities, remodeling of facilities, or for the purchase of equipment. The governing body shall establish a maximum amount allowed to be accumulated in the fund.

Section 3. That § 9-48-2 be amended to read:

9-48-2. Each municipality may:

- (1) Establish, construct, and maintain main, trunk, sanitary, storm, and service sewers, and septic or sewage treatment plants, drains, and manholes either within its corporate limits or within ten miles of its corporate limits;
- (2) Appropriate funds and levy taxes to accumulate funds for the purposes identified in this section;
- (3) Establish sewer districts as provided by this title;
- (4) Acquire any sewer, drain, or system of sewerage and drainage already established and constructed; and
- (5) Acquire land within or without the municipality for a septic or sewage treatment plant or outlet to any main sewer and may assess the cost of the land and the cost of any necessary extension or connection of the main sewer to all the property within the sewer district benefited as provided by this title.

The proceeds of any taxes levied for the accumulation of funds under this section shall be placed in a separate fund which may not revert at the end of the fiscal year. The governing body shall establish a maximum amount allowed to be accumulated in the fund. The fund shall be established by a resolution adopted pursuant to chapter 9-19.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1089

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1089

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_ ,

20\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 20\_\_

\_\_\_\_\_  
Governor

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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