

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

537B0562

SENATE BILL NO. 73

Introduced by: Senator Schoenbeck and Representative Johns

1 FOR AN ACT ENTITLED, An Act to revise qualifications for sanitary district trustees.

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

3 Section 1. That § 34A-5-14.1 be amended to read:

4 34A-5-14.1. Each sanitary district shall be governed by a board of trustees elected at large,
5 as provided in this chapter. ~~To be eligible for office, each trustee shall reside in the district. The~~
6 Each board of trustees shall consist of an odd number of members and shall have at least three
7 but not more than eleven members, as provided in this section.

8 ~~A~~ If a sanitary district ~~that~~ provides or is proposed to provide sewer or water facility
9 connections to more than one thousand five hundred households, farms, businesses, or other
10 entities ~~shall have a,~~ the board of trustees shall consist of at least five but not more than eleven
11 members. ~~A~~ If a sanitary district ~~that~~ provides or is proposed to provide at least one thousand
12 but ~~no~~ not more than one thousand five hundred ~~such~~ sewer or water facility connections ~~shall~~
13 ~~have a,~~ the board of trustees shall consist of at least five but not more than nine members. ~~A~~ If
14 a sanitary district ~~that~~ provides or is proposed to provide at least five hundred but not more than
15 one thousand ~~such~~ sewer or water facility connections ~~shall have a,~~ the board of trustees shall



1 consist of at least three but not more than seven members. ~~▲ If a sanitary district that~~ provides
2 or is proposed to provide ~~less~~ fewer than five hundred ~~such~~ sewer or water facility connections
3 ~~shall have a~~, the board of trustees shall consist of at least three but not more than five members.

4 The number of trustees for a newly incorporated or consolidated sanitary district shall be
5 specified in the order of incorporation issued under § 34A-5-7 or in the consolidation resolution
6 issued under § 34A-5-46.

7 Section 2. That § 34A-5-21.2 be amended to read:

8 34A-5-21.2. ~~▲ To serve as a trustee of a sanitary district trustee that provides or is proposed~~
9 to provide sewer or water facility connections to more than one hundred households, farms,
10 businesses, or other entities, a person shall be a resident of the sanitary district ~~the trustee~~
11 represents.

12 To serve as a trustee of a sanitary district that provides or is proposed to provide sewer or
13 water facility connections to no more than one hundred households, farms, businesses, or other
14 entities, a person shall be a resident of the sanitary district or own real property within the
15 boundary of the sanitary district.