

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

389B0470

HOUSE ENGROSSED NO. **HB 1075** - 1/30/2019

Introduced by: Representatives Chase, Brunner, Chaffee, Dennert, Duvall, McCleerey, Otten (Herman), Peterson (Kent), Schoenfish, and Wiese and Senators Novstrup, Blare, Cammack, and Wismer

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the authority of  
2 conservation district governing boards.

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

4 Section 1. That chapter 38-8 be amended by adding a NEW SECTION to read:

5 In lieu of the petition process authorized under § 38-8-22, the conservation district  
6 governing boards of the affected districts may propose and adopt a resolution calling for the  
7 combining or dividing of districts and present it to the registered voters for a vote at the next  
8 general election under the requirements of § 38-8-39.

9 Section 2. That chapter 38-8 be amended by adding a NEW SECTION to read:

10 In lieu of the petition process authorized in § 38-8-90, a conservation district governing  
11 board may propose and adopt a resolution calling for the dissolution of the district and present  
12 it to the people for a vote at the next general election under the requirements of § 38-8-39.

13 Section 3. That § 38-8A-12 be amended to read:

14 38-8A-12. Revision of the conservation standards, in whole or in part, may be proposed by



1 the conservation district governing board or by a petition signed by a the number of voters equal  
2 to ten percent of the qualified voters in a district.

3 Section 4. That § 38-8-23 be amended to read:

4 38-8-23. Within thirty days after receipt of a petition pursuant to § 38-8-22 or within thirty  
5 days after the adoption of a resolution pursuant to section 1 of this Act, the State Conservation  
6 Commission shall set a date for a hearing and issue notices and conduct a hearing upon the  
7 proposition of combination or division. All voters registered for the last general election within  
8 the territory described in the petition or resolution and other interested parties may be heard.