

State of South Dakota

SEVENTY-SIXTH SESSION LEGISLATIVE ASSEMBLY, 2001

448E0054

SENATE BILL NO. 17

Introduced by: The Committee on Legislative Procedure at the request of the
Commissioner of School and Public Lands

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the right to renew
2 certain leases on school and public lands.

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

4 Section 1. That § 5-5-11 be amended to read as follows:

5 5-5-11. All rents, except rents from sharecropping which shall be paid after the crop has been
6 harvested, shall be paid annually in advance. No term of lease may exceed five years, nor is any
7 lease valid until it receives the approval of the Governor. However, any lessee of such common
8 school, indemnity, or endowment lands is, at the expiration of a five-year lease, entitled, at the
9 lessee's option, to a new lease for the land included in the lessee's original lease, or such portion
10 thereof which has not been sold, ~~for a period of five years.~~ The commissioner may, however,
11 establish the term of the lease renewal at not less than one year nor more than five years to best
12 effectuate the responsibilities of the office.

13 Section 2. That § 5-5-12 be amended to read as follows:

14 5-5-12. The commissioner of school and public lands may accept a bid for a lease covering
15 a period of one year or more, but not exceeding five years, and ~~in case no bids or proposals are~~

1 if no bid or proposal is made for any term, under the publication required in § 5-5-5, or in case
2 of a failure from any cause to complete the leasing of any tract offered, ~~it shall~~ the commissioner
3 may, within nine months thereafter ~~be lawful to~~, lease such lands under the provisions of this
4 chapter without a readvertisement. However, any lessee of such common school, indemnity, or
5 endowment lands is, at the expiration of a lease, entitled to a new lease for the land included in
6 ~~his~~ the original lease, or such portion thereof which has not been sold, ~~for a period of five years.~~
7 The commissioner may, however, establish the term of the lease renewal at not less than one year
8 nor more than five years to best effectuate the responsibilities of the office.