

AN ACT

ENTITLED, An Act to provide for the consolidation and annexation of road districts.

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

Section 1. That chapter 31-12A be amended by adding thereto a NEW SECTION to read as follows:

Two or more road districts may form a consolidated road district that comprises their combined area pursuant to this Act. The governing body of each road district shall by resolution propose the formation of the consolidated road district, specifying the road districts proposed to be included within the boundaries of the consolidated road district.

Section 2. That chapter 31-12A be amended by adding thereto a NEW SECTION to read as follows:

The governing body of each road district described in section 1 of this Act shall submit by resolution the question of consolidation to the voters of each road district at a special election called for that purpose pursuant to chapter 6-16. The proposition shall be submitted to the voters of each road district on a separate ballot and shall be stated as to enable each voter to vote for or against the proposed consolidation.

Section 3. That chapter 31-12A be amended by adding thereto a NEW SECTION to read as follows:

If the voters of each road district approve the formation of the consolidated road district by a majority of the votes cast on the consolidation question, the governing body of each road district shall so declare by resolution and file a certified copy of each proceeding taken for the consolidation with the road district's clerk, the secretary of state, and the county auditor. After the certified copies are filed, the consolidation is effective and complete, and the consolidated road district has the powers conferred upon a road district by this chapter.

Section 4. That chapter 31-12A be amended by adding thereto a NEW SECTION to read as follows:

The consolidated board of trustees shall be elected as provided in chapter 6-16 and shall govern the consolidated road district as provided in this chapter.

Section 5. That chapter 31-12A be amended by adding thereto a NEW SECTION to read as follows:

The consolidated road district does not, by virtue of its incorporation, acquire any of the property or assume any of the debts, obligations, or liabilities of any road district included within its boundaries.

Section 6. That chapter 31-12A be amended by adding thereto a NEW SECTION to read as follows:

A consolidated road district may contract with any road district for the purchase or use of property that the road district is authorized to construct or acquire and maintain pursuant to this chapter.

Section 7. That chapter 31-12A be amended by adding thereto a NEW SECTION to read as follows:

After the creation of a road district, minor adjustments to the boundaries of the district may be made by the directors, without referendum. Such adjustments may not delete lands from the district that have been subject to a special assessment during the budget year or the current year and such adjustments may not include additional land in the district without the written approval of the owner of the land.

Section 8. That chapter 31-12A be amended by adding thereto a NEW SECTION to read as follows:

An additional area may be annexed or an area withdrawn from a road district by:

- (1) Circulation of an initiating petition therefor by the qualified voters in the new area and in the existing district, similar to an initiating petition specified in this chapter; or
- (2) Circulation of an initiating petition by the qualified voters in the affected area and passage of a resolution therefor by the directors of the road district.

Upon receipt of an initiating petition and passage of a resolution by the directors, the area shall be annexed or withdrawn in the same manner as prescribed for creation of a new road project district.

An Act to provide for the consolidation and annexation of road districts.

I certify that the attached Act  
originated in the

HOUSE as Bill No. 1087

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

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

Attest:

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

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

Attest:

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

House Bill No. 1087

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

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

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

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

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

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

\_\_\_\_\_  
Governor

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