

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

447H0382

## HOUSE BILL NO. 1130

Introduced by: Representatives Murschel, Adelstein, Derby, Hennies (Thomas), Hunhoff, and Van Etten and Senators McCracken, Ham, Reedy, Vitter, and Whiting

1 FOR AN ACT ENTITLED, An Act to revise the provisions related to the sale of surplus  
2 governmental property.

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

4 Section 1. That § 6-13-5.2 be amended to read as follows:

5 6-13-5.2. In lieu of receiving sealed bids as required by this chapter, a school district,  
6 municipality, or county may sell real property at public auction or by listing the property with one  
7 or more licensed real estate brokers. The ~~school board~~ governing body may accept any offer for  
8 purchase of real property provided the offer exceeds ninety percent of the appraised value of the  
9 real property as required by § 6-13-2. If a ~~school board~~ governing body sells real property by  
10 public auction or through a real estate broker, the ~~school board~~ governing body shall give notice  
11 of the sale of the real property as required by § 6-13-4.

12 Section 2. That § 5-18-18 be amended to read as follows:

13 5-18-18. The provisions of §§ 5-18-1 to 5-18-17, inclusive, do not regulate or apply to  
14 contracts entered into and purchases made by the Department of Transportation or by the  
15 Bureau of Administration or to the purchase of electric power, light, water, or gas; or any



1 municipal corporation for the purchase of materials, supplies, or equipment for any utility owned  
2 or operated by such municipal corporation, if the purchase does not exceed the limits established  
3 pursuant to § 5-18-3; or to contracts of any municipal corporation in time of war to acquire,  
4 establish, construct, own, control, lease, equip, improve, maintain, operate, or regulate an airport  
5 or landing field for the use of airplanes or other aircraft, of the United States armed forces or its  
6 members, students, and mechanics; or to contracts of any public corporation for the purchase  
7 of materials, supplies, or equipment from the United States or its agencies; or to equipment  
8 repair contracts; or to the contracts of any school district, municipality, or county for the  
9 purchase or lease of communications technologies, computers, peripheral equipment, and related  
10 connectivity; or to the purchase of surplus property from another public corporation; or to the  
11 purchase by one local government entity from the lowest responsible bidder of an item  
12 competitively bid in the previous twelve months by itself or another local government entity or  
13 the state at the bid price or less; or to animals purchased by a municipality for a zoo; or to  
14 contracts for real estate services or auction services.