

AN ACT

ENTITLED, An Act to revise the election procedures of certain special purpose districts and revise the power to fill vacancies on the board of a special purpose district.

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

Section 1. That § 31-12A-15 be amended to read as follows:

31-12A-15. In each road district an annual election of officers shall be held on the first Tuesday after the anniversary date of the first election at a place in the district as the board of trustees shall designate. The election shall be conducted according to chapter 8-3, at a meeting of the registered voters who reside in the road district.

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

Notice of the meeting and election required by § 31-12A-15 shall be given by the secretary-treasurer by one publication in a legal newspaper of general circulation in each county in which the district is situated or notice may be given by posting in a public place within the district and delivering the notice to each registered voter of the district. The notice shall include the time and place of the election and each vacancy to be filled at the election. The meeting shall be held not less than seven days nor more than fourteen days after the date of publication or delivery of the notice.

Section 3. That § 34-11A-2 be amended to read as follows:

34-11A-2. Any municipality located within the area may be included in the ambulance district if twenty percent of the landowners within the municipality who are also registered voters within the municipality sign a separate petition from that municipality, or if the governing body of the municipality establishes intent by passing a resolution so indicating.

Section 4. That § 34-11A-29 be amended to read as follows:

34-11A-29. A regular meeting of the registered voters who are residing within the boundaries of

a district shall be held in the first quarter of each calendar year and special meetings may be called by the board of directors at any time. The annual election shall be conducted during the regular meeting. Notice of the annual election shall be given by the secretary-treasurer by one publication in a legal newspaper of general circulation in each county in which the district is situated. The meeting shall be held not less than seven days nor more than fourteen days after the date of publication of the notice.

Section 5. That § 34-31A-3 be amended to read as follows:

34-31A-3. Any municipality located within the area, whether the municipality has a fire department or not, may be included in the rural fire district if twenty percent of the landowners within the municipality who are also registered voters within the municipality sign a separate petition from that municipality, or if the governing body of the municipality establishes intent by passing a resolution so indicating.

Section 6. That § 34-31A-43 be amended to read as follows:

34-31A-43. A regular meeting of the electors who are owners of any interest in real property assessed for taxation in the district and who are residing within the boundaries of a district shall be held in the first quarter of each calendar year and special meetings may be called by the board of directors at any time. The annual election shall be conducted during the regular meeting. Notice of the annual election shall be given by the secretary-treasurer by one publication in a legal newspaper of general circulation in each county in which the district is situated. The meeting shall be held not less than seven days nor more than fourteen days after the date of publication of the notice.

Section 7. That § 46A-18-23 be amended to read as follows:

46A-18-23. Prior to May first of each year, on a date established by the directors, an annual meeting of the district shall be held during which the registered voters shall elect, by ballot, under the direction of the secretary of the district, directors to replace those whose terms have expired. Newly elected directors shall assume office at the time of their election.

Section 8. That § 46A-18-47 be amended to read as follows:

46A-18-47. In the election provided in § 46A-18-45, registered voters are eligible to vote. If special assessments are proposed, only those landowners subject to such assessments may vote. If the financing proposal provides for both general tax levies and special assessments, the votes applicable to the general tax and the votes applicable to the special assessments shall be counted separately and accepted separately for purposes of determining the outcome of the election.

Section 9. That § 3-4-3 be amended by adding thereto a NEW SUBDIVISION to read as follows:

In special purpose districts, unless otherwise provided, by the remaining board of trustees.

An Act to revise the election procedures of certain special purpose districts and revise the power to fill vacancies on the board of a special purpose district.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1009

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

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

Attest:

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

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

Attest:

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

House Bill No. 1009  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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

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

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

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

\_\_\_\_\_  
Governor

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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