

## 2020 South Dakota Legislature

**Senate Bill 144****AMENDMENT 144G FOR THE HOUSE APPROPRIATIONS  
BILL**

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

1 **An Act to ~~establish certain restrictions regarding participation in the state~~**  
 2 **~~subsidized dual credit program for certain students~~create the road**  
 3 **improvement priority fund, provide for the distribution of the fund, make an**  
 4 **appropriation, and to declare an emergency.**

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

6 **Section 1.** That a NEW SECTION be added:

7 **32-11-40. Definitions.**

8 Terms used in this Act mean:

9 (1) "County population," the population of the county based on the most recent  
 10 estimate available from the U.S. Census Bureau;

11 (2) "Population adjustment factor," if the county population is:

12 (a) Greater than one hundred and fifty thousand, it equals 0.65;

13 (b) Less than one hundred and fifty thousand and greater than or equal to one  
 14 hundred thousand, it equals 0.70;

15 (c) Less than one hundred thousand and greater than or equal to fifty thousand,  
 16 it equals 0.80;

17 (d) Less than fifty thousand and greater than twenty-five thousand, it equals  
 18 0.90; and

19 (e) Less than twenty-five thousand, it equals 1.0;

20 (3) "Adjusted total population," the total population of all counties after applying the  
 21 population adjustment factor;

22 (4) "Surface type adjustment factor," equals 0.50 for gravel, 0.15 for asphalt, 0.15 for  
 23 graded, 0.10 for concrete, 0.05 for unimproved, and 0.05 for primitive;

1 (5) "County road miles by surface type," the total number of miles corresponding to  
2 gravel, asphalt, graded, concrete, unimproved, and primitive roads within a county  
3 as identified by the Department of Transportation;

4 (6) "Deck area," equals the total square feet of any bridge, within a county as identified  
5 by the Department of Transportation;

6 (7) "Adjusted total county road miles," the sum of all county road miles in all counties  
7 in the state after applying the surface type adjustment factor to each type of road  
8 surface.

9 **Section 2.** That a NEW SECTION be added:

10 **32-11-41. Road improvement priority fund--Creation--Funding.**

11 There is hereby created in the state treasury the road improvement priority fund.  
12 Any general funds appropriated to the road improvement priority program shall be  
13 transferred into the road improvement priority fund. Interest on the money in the fund  
14 shall be deposited into the fund.

15 **Section 3.** That a NEW SECTION be added:

16 **32-11-42. Road improvement priority fund--Calculation--Distribution.**

17 On July first of each year, the Department of Revenue shall distribute the balance  
18 of the road improvement priority fund to the counties based on the calculated percent for  
19 each county, which is equal to the sum of:

20 (1) The value of the county population multiplied by the population adjustment factor  
21 divided by the adjusted total population multiplied by thirty-three and one-third  
22 percent;

23 (2) The value of county road miles by surface type multiplied by the corresponding  
24 surface type adjustment factor divided by the adjusted total county road miles  
25 multiplied by thirty-three and one-third percent; and

26 (3) The value of the deck area of the county divided by the total combined deck area  
27 of all counties multiplied by thirty-three and one-third percent.

28 A county receiving a distribution under this section shall utilize five percent of the  
29 distribution on roads within all organized townships, if any, within that county.

30 **Section 4.** There is hereby appropriated from the general fund the sum of ten million dollars  
31 (\$10,000,000), or so much thereof as may be necessary, to the road improvement priority

1 fund, for purposes of providing road funding to counties to improve the current conditions of  
2 roads in South Dakota.

3 **Section 5.** The secretary of the Department of Revenue shall approve vouchers and the state  
4 auditor shall draw warrants to pay expenditures authorized by this Act.

5 **Section 6.** Any amounts appropriated in this Act not lawfully expended or obligated by June  
6 30, 2021 shall revert in accordance with the procedures prescribed in chapter 4-8.

7 **Section 7.** Whereas, this Act is necessary for the support of the state government and its  
8 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
9 full force and effect from and after its passage and approval.