

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

714T0152

## HOUSE BILL NO. 1172

Introduced by: Representatives Munsterman, Kirkeby, Magstadt, and Schrempp and Senators Peters, Bradford, Johnston, and Schlekeway

1 FOR AN ACT ENTITLED, An Act to exempt certain developer-installed storm sewer detention  
2 ponds from public procurement bid requirements.

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

4 Section 1. That § 5-18C-4 be amended to read as follows:

5 5-18C-4. If a municipality requires a developer to install water~~and~~, sanitary sewer, and  
6 storm sewer trunk lines or mains; sewer collection systems; or streets at the expense of the  
7 developer and the municipality requires the size of the trunk line or main, sewer collection  
8 systems, or streets to be larger than the developer's requirements, the price difference paid by  
9 the municipality and as determined by a licensed engineer's estimate is exempt from the  
10 provisions of this chapter and chapters 5-18A, 5-18B, and 5-18D.

11 If a developer installs a regional storm sewer detention pond ahead of a municipality's  
12 schedule at the expense of the developer, the price of the pond construction paid by the  
13 municipality and based on certified quantities provided by a licensed engineer is exempt from  
14 the provisions of this chapter and chapters 5-18A, 5-18B, and 5-18D.

