

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

660T0394

HOUSE BILL NO. 1178

Introduced by: Representatives Magstadt, Kirkeby, and Schrempp and Senators Holien,
Bradford, Schlekeway, and Tieszen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the disposal of local
2 government property.

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

4 Section 1. That § 6-5-2 be amended to read as follows:

5 6-5-2. Any ~~county, municipality, sanitary district, township, or school district~~ political
6 subdivision may convey and transfer any real or personal property which is held or owned by
7 it, the title to which has been obtained and which is not held for public use or which is about to
8 be abandoned for public purposes, to another political subdivision or nonprofit corporation for
9 public, charitable, or humanitarian purposes and accommodation without offering the property
10 for sale and without requiring ~~said~~ the political subdivision or nonprofit corporation to pay
11 ~~therefor~~ for the property.

12 Section 2. That § 6-13-1 be amended to read as follows:

13 6-13-1. The governing board of a political subdivision may sell, trade, loan, destroy, or
14 otherwise dispose of any land, structures, equipment, or other property which the governing
15 board has, by appropriate motion, determined is no longer necessary, useful, or suitable for the



1 purpose for which it was acquired. No motion is required to sell, trade, loan, destroy, or
2 otherwise dispose of consumable supplies, printed text, zoo animals, or subscriptions.

3 Section 3. That chapter 6-13 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 Any municipality or other political subdivision of the state that operates a zoo may enter into
6 an agreement for the loaning of zoo animals with another political subdivision, nonprofit
7 corporation, or other entity that operates a zoo accredited by the Association of Zoos and
8 Aquariums or other appropriate institutions dealing with animal care, breeding, welfare, or
9 wildlife education. The zoo that accepts the loaned zoo animals may be located inside or outside
10 the state of South Dakota. The loan agreement shall be under terms and conditions agreed to by
11 the parties to the agreement. Zoo animals loaned pursuant to this section are not deemed to be
12 surplus property, and no motion is required to enter into an agreement for the loaning of zoo
13 animals.