

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

862Y0059

HOUSE BILL NO. 1057

Introduced by: Representatives Johns, Bartling, Heinemann, Otten (Herman), Peterson (Kent), Rhoden, Tulson, and Turbiville and Senators Ewing, Cammack, Frerichs, Langer, Soholt, and Solano

1 FOR AN ACT ENTITLED, An Act to revise when improvement districts shall hold an election
2 of board members.

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

4 Section 1. That § 7-25A-10 be amended to read:

5 7-25A-10. The board shall schedule an election of board members to be held ~~not later than~~
6 the on or before:

7 (1) The date of the first general municipal election following after the tenth anniversary
8 of the formation of the district; or

9 (2) The first general municipal election after the board receives notice of certification
10 from the county auditor that at least forty-five registered voters reside in the district;
11 which ever occurs last.

12 The county auditor shall count the number of registered voters in each district in the county
13 before December second of each odd numbered year. If the county auditor counts forty-five or
14 more registered voters residing in the district, the county auditor shall certify the number of



1 registered voters in that district and send notice of certification, by certified mail, to the board.
2 No county auditor is required to count the number of registered voters in a district after the
3 notice has been sent to the board or the district has held an election. At the first election, one
4 board member shall be elected for a six-year term, two members shall be elected for a four-year
5 term, and two members shall be elected for a two-year term. The candidate receiving the highest
6 number of votes shall serve a six-year term, the two candidates receiving the next highest
7 number of votes shall serve four-year terms, and the two candidates receiving the next highest
8 number of votes shall serve two-year terms. ~~In succeeding elections,~~ After the first election, the
9 term for each board member shall be elected for a six-year term. All elected board members
10 shall be registered voters of the district.