



2020 South Dakota Legislature

House Bill 1284

HOUSE TAXATION ENGROSSED

Introduced by: **Representative Finck**

1 **An Act to create a road improvement priority fund and to provide for the distribution**
 2 **of the fund.**

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

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

5 **32-11-40. Definitions.**

6 Terms used in this Act mean:

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

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

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

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

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

15 (d) Less than fifty thousand and greater than twenty-five thousand, it equals
 16 0.90; and

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

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

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

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

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

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

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

5 **32-11-41. Road improvement priority fund--Creation--Funding.**

6 There is hereby created in the state treasury the road improvement priority fund.
7 Any general funds appropriated to the road improvement priority program shall be
8 transferred into the road improvement priority fund. Interest on the money in the fund
9 shall be deposited into the fund.

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

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

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

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

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

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

23 A county receiving a distribution under this section shall utilize five percent of the
24 distribution on roads within organized townships in that county.