

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

546E0132

## HOUSE BILL NO. 1087

Introduced by: Representatives Slaughter, Hennies (Thomas), Jensen, Lange, and Rhoden  
and Senator Sutton (Dan)

1 FOR AN ACT ENTITLED, An Act to provide for the consolidation of road districts.

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

3 Section 1. That chapter 31-12A be amended by adding thereto a NEW SECTION to read  
4 as follows:

5 Two or more road districts may form a consolidated road district that comprises their  
6 combined area pursuant to this Act. The governing body of each road district shall by resolution  
7 propose the formation of the consolidated road district, specifying the road districts proposed  
8 to be included within the boundaries of the consolidated road district.

9 Section 2. That chapter 31-12A be amended by adding thereto a NEW SECTION to read  
10 as follows:

11 The governing body of each road district described in section 1 of this Act shall submit by  
12 resolution the question of consolidation to the voters of each road district at a special election  
13 called for that purpose pursuant to chapter 6-16. The proposition shall be submitted to the voters  
14 of each road district on a separate ballot and shall be stated as to enable each voter to vote for  
15 or against the proposed consolidation.

1 Section 3. That chapter 31-12A be amended by adding thereto a NEW SECTION to read  
2 as follows:

3 If the voters of each road district approve the formation of the consolidated road district by  
4 a majority of the votes cast on the consolidation question, the governing body of each road  
5 district shall so declare by resolution and file a certified copy of each proceeding taken for the  
6 consolidation with the road district's clerk, the secretary of state, and the county auditor. After  
7 the certified copies are filed, the consolidation is effective and complete, and the consolidated  
8 road district has the powers conferred upon a road district by this chapter.

9 Section 4. That chapter 31-12A be amended by adding thereto a NEW SECTION to read  
10 as follows:

11 The consolidated board of trustees shall be elected as provided in chapter 6-16 and shall  
12 govern the consolidated road district as provided in this chapter.

13 Section 5. That chapter 31-12A be amended by adding thereto a NEW SECTION to read  
14 as follows:

15 The consolidated road district does not, by virtue of its incorporation, acquire any of the  
16 property or assume any of the debts, obligations, or liabilities of any road district included within  
17 its boundaries.

18 Section 6. That chapter 31-12A be amended by adding thereto a NEW SECTION to read  
19 as follows:

20 A consolidated road district may contract with any road district for the purchase or use of  
21 property that the road district is authorized to construct or acquire and maintain pursuant to this  
22 chapter.