2024 South Dakota Legislature

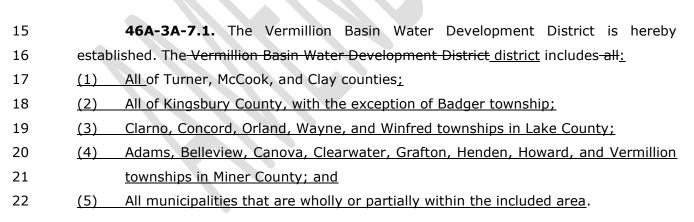
House Bill 1130

AMENDMENT 1130B FOR THE HOUSE AGRICULTURE AND NATURAL RESOURCES ENGROSSED BILL

- 1 An Act to revise water development district boundaries and taxing authority.
- 2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 46A-3A-3 be AMENDED:

- 4 46A-3A-3. The East Dakota Water Development District is hereby established. The
 5 East Dakota Water Development District district includes all:
- 6 (1) All of Minnehaha, Moody, Lake, Kingsbury, Brookings, Hamlin, Deuel, Codington
 7 and Grant counties; Grafton, Belleview, Adams, Henden, Howard, Clearwater,
 8 Canova and Vermillion townships in Miner County;
- 9 (2) All of Lake County, with the exception of Clarno, Concord, Orland, Wayne, and
 10 Winfred townships;
- 11 (3) Badger township in Kingsbury County; and all
- 12 <u>(4) All</u> municipalities that are wholly or partially within the included area or that are 13 contiguous to the included area.
- 14 Section 2. That § 46A-3A-7.1 be AMENDED:



23 Section 3. That § 46A-3B-2.1 be AMENDED:

1 **46A-3B-2.1.** For any water development district having director areas that will be 2 realigned as a result of the provisions of § 46A-3B-2, any director of the district who is in 3 office on January 1, 2009-2024, shall continue to serve as a director if the director remains 4 a resident of the district. At the first general election after January 1, 2009, for any such 5 water development district, directors shall be elected for all director positions in the 6 district, regardless of whether or not any director's term has expired. The directors elected 7 for the district at the general election shall be elected to serve for staggered terms. 8 Thereafter, directors shall be elected to four year terms at each subsequent general election to succeed those directors whose terms expire at the end of the year in which the 9 election is held. 10

11 Section 4. That § 46A-3E-1 be AMENDED:

46A-3E-1. A water development district board of directors may levy taxes, not to 12 13 exceed thirty cents per thousand dollars of taxable valuation in the district, for 14 accomplishment of the purposes of chapters 46A-3A to 46A-3E, inclusive, and chapters 15 46A-1 and 46A-2. If an area is included in more than one water development district, that 16 area's tax levy payable to each of the water development districts shall be is determined 17 by multiplying the greater of the overlapping water development districts' levies by each water development district's taxing fraction. Each water development district's taxing 18 19 fraction is determined by dividing that water development district's proposed tax levy for 20 the overlapped area by the sum of all water development districts' levies for the 21 overlapped area. Any water development district for which boundaries are revised under 22 §§ 46A-3A-2 to 46A-3A-7.1, inclusive, is not considered a new taxing district. If any water 23 development district levied a tax pursuant to chapter 10-13 in a manner used by a new 24 taxing district for taxes payable in 2010, such water development district shall revert to 25 the amount of revenue payable to the district for taxes payable in 2009 including any 26 excess levy approved pursuant to § 10-13-36 before July 1, 2002. The water development 27 district may adjust the maximum amount of revenue payable for property taxes based on 28 the growth and index factor for each year thereafter. Any excess levy approved by the 29 water development district pursuant to § 10-13-36 before July 1, 2002, is null and void.

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