

# State of South Dakota

NINETY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2017

682Y0006

HOUSE BILL NO. \_\_\_\_\_

Introduced by: \_\_\_\_\_

1 FOR AN ACT ENTITLED, An Act to establish the procedure for boundary line adjustments  
2 to the river basin natural resource districts.

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

4 Section 1. That the code be amended by adding a NEW SECTION to read:

5 The councils of two adjoining river basin natural resource districts may mutually agree to  
6 adjust the boundaries between the two districts by June first of any odd numbered year. The  
7 councils shall publish notice of a joint hearing on the proposed boundary adjustment pursuant  
8 to the requirements of section 2 of this Act.

9 Section 2. That the code be amended by adding a NEW SECTION to read:

10 Fifty-one percent of township voters may request a proposed boundary change to remove  
11 a township from one district and add to an adjacent district by filing of a written request between  
12 January first and June first of an odd numbered year.

13 A written request asking for the boundary line between adjoining river basin districts to be  
14 adjusted shall be filed with the council of the district in which inclusion is requested and the  
15 council of the district in which removal is requested. The written request shall include:

16 (1) The name of the township effected by the proposed boundary change;



- 1 (2) Name of the district from which removal is requested;
- 2 (3) Name of the district from which inclusion is requested;
- 3 (4) The taxable value of all land to be removed and included in the proposal;
- 4 (5) A description of the existing district boundary line; and
- 5 (6) A description of the proposed new boundary line.

6 Within thirty days after the written request has been filed, each council shall publish notice  
7 of a joint council public hearing on the written request at least twice, with at least seven days  
8 between the publication dates, in the official newspapers of the district. Each year each river  
9 basin district council shall designate a minimum of two legal newspapers of general circulation  
10 published within the river basin district as official newspapers of the river basin district.

11 Section 3. That the code be amended by adding a NEW SECTION to read:

12 After a hearing pursuant to section 1 of this Act, each council shall determine whether the  
13 operation of the district within the proposed new boundaries would be administratively  
14 practicable and feasible. A change in boundary may not impair the organization of the districts  
15 and shall follow township boundaries. A failure to receive a majority vote of each affected  
16 council shall be deemed a denial of the request.

17 Section 4. That the code be amended by adding a NEW SECTION to read:

18 Upon determination in favor of a proposed adjustment of district boundaries, each council  
19 shall present to the secretary of state an application for a certificate evidencing the change of  
20 boundary. The application shall be signed by at least four members of each council. The  
21 application shall be accompanied by a statement by each council certifying that the boundary  
22 between the districts has been changed in accordance with the procedures prescribed in sections  
23 8, 9, and 10 of this Act, and set forth the approved new boundary line. Each council shall submit  
24 final boundary changes to the county auditors no later than August first of the odd numbered

1 year the two councils mutually agree or the written request was submitted to the councils.