

AN ACT

ENTITLED, An Act to revise the authority of the state, counties, and townships to transfer highway right-of-ways under certain conditions.

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

Section 1. That chapter 31-19 be amended by adding thereto a NEW SECTION to read as follows:

In addition to the provisions of § 31-19-63, the Department of Transportation, board of county commissioners, or township board of supervisors may convey and transfer any highway right-of-way under the department's or board's jurisdiction to the federal government or to any Indian tribe without requiring payment therefor. The conveyance shall be made only after mutual agreement between the state, county, or township and the federal government or the Indian tribe. Each conveyance and transfer shall be held by the federal government or the Indian tribe for public highway purposes.

Section 2. That § 31-19-63 be amended to read as follows:

31-19-63. The state, by and through the Department of Transportation may convey and transfer any highway right-of-way held by the state to a political subdivision and the political subdivisions may convey and transfer such highway rights-of-way to the state or to each other without requiring payment therefor. Each conveyance shall be made only after mutual agreement between the grantor and grantee. Each conveyance and transfer shall be held by the grantee for public highway purposes.

Section 3. That § 31-19-64 be amended to read as follows:

31-19-64. If the Department of Transportation or the governing body of a political subdivision of this state holding public highway right-of-way deems it advisable and to the best interest of the public to convey such right-of-way as provided in § 31-19-63 or section 1 of this Act, it shall by executive order or resolution direct that the property be so conveyed and transferred. Thereupon a deed of conveyance shall be made to the grantee, which deed shall vest in the grantee therein all the

interest of the grantor in and to the right-of-way so conveyed.

An Act to revise the authority of the state, counties, and townships to transfer highway right-of-ways under certain conditions.

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I certify that the attached Act originated in the

SENATE as Bill No. 119

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 119  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State