

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

905T0602

## HOUSE BILL NO. 1104

Introduced by: Representatives Kloucek, Bolin, Dennert, Greenfield, Hawley, Hickey, Hunhoff (Bernie), Kirkeby, Kirschman, Nelson (Stace), Schrempp, Sigdestad, Street, and Tulson and Senators Sutton, Begalka, Gray, Hundstad, Lederman, Maher, and Tidemann

1 FOR AN ACT ENTITLED, An Act to define the responsibility of the Department of  
2 Transportation regarding portions of certain intersecting county and township highways  
3 located within the right-of-way of the state highway system.

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

5 Section 1. That chapter 31-24 be amended by adding thereto a NEW SECTION to read as  
6 follows:

7 If the Department of Transportation resurfaces or reconstructs a section of state highway,  
8 the department shall resurface that portion of any intersecting county or township highway that  
9 is within the right-of-way of that section of state highway. Thereafter, the department shall,  
10 upon the request of the county or township, supply the necessary surface material for any portion  
11 of any intersecting county or township highway that is within the right-of-way of the state  
12 highway. The surface material shall be supplied to the county or township. The county or  
13 township is responsible for the maintenance of that portion of the county or township highway  
14 located within the right-of-way of the state highway.

