



## 2023 South Dakota Legislature

# House Bill 1107

Introduced by: **Representative Kull**

1 **An Act to allow townships to assess up to four dollars per front foot for a township**  
 2 **paved road in a paved development and assess properties within three**  
 3 **hundred feet of the paved road.**

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

5 **Section 1. That § 31-13-51 be AMENDED:**

6 **31-13-51.** The township board of supervisors or, in the case of any township which  
 7 is no longer organized, the board of county commissioners, prior to the assessment of real  
 8 property within the township, or unorganized township, for the next fiscal year, may levy  
 9 annually for the purpose of maintaining or repairing street surfaces, whether of a  
 10 permanent type or not, a special front foot assessment not to exceed two dollars for a  
 11 gravel road, and four dollars for a paved road in a development, per front foot upon the  
 12 real property fronting and abutting the roadway and any property that is located within  
 13 three hundred feet that accesses the property via a paved road. Such assessment shall  
 14 be apportioned on a front foot basis and shall be levied pursuant to § 31-13-52. If the  
 15 board of county commissioners is levying a special assessment on real property pursuant  
 16 to this section, the board of county commissioners shall perform the duties, as applicable,  
 17 that are required of the township board of supervisors pursuant to §§ 31-13-32 to 31-13-  
 18 54, inclusive.

19 For the purposes of this section, the term, development, includes a homeowner's  
 20 association or any neighborhood where the township roads were paved by a developer or  
 21 with the agreement of and payment by the property owners.