



## 2024 South Dakota Legislature

# House Bill 1130

### HOUSE AGRICULTURE AND NATURAL RESOURCES ENGROSSED

Introduced by: **Representative Reisch**

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 (4) All 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:**

15 **46A-3A-7.1.** The Vermillion Basin Water Development District is hereby  
16 established. The Vermillion Basin Water Development District district includes ~~all~~:

17 (1) All of Turner, McCook, and Clay counties;

18 (2) All of Kingsbury County, with the exception of Badger township;

19 (3) Clarno, Concord, Orland, Wayne, and Winfred townships in Lake County;

20 (4) Adams, Belleview, Canova, Clearwater, Grafton, Henden, Howard, and Vermillion  
21 townships in Miner County; and

22 (5) All municipalities that are wholly or partially within the included area.

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

1           **46A-3E-1.** A water development district board of directors may levy taxes, not to  
2 exceed thirty cents per thousand dollars of taxable valuation in the district, for  
3 accomplishment of the purposes of chapters 46A-3A to 46A-3E, inclusive, and chapters  
4 46A-1 and 46A-2. If an area is included in more than one water development district, that  
5 area's tax levy payable to each of the water development districts ~~shall be~~ is determined  
6 by multiplying the greater of the overlapping water development districts' levies by each  
7 water development district's taxing fraction. Each water development district's taxing  
8 fraction is determined by dividing that water development district's proposed tax levy for  
9 the overlapped area by the sum of all water development districts' levies for the  
10 overlapped area. ~~Any water development district for which boundaries are revised under~~  
11 ~~§§ 46A-3A-2 to 46A-3A-7.1, inclusive, is not considered a new taxing district. If any water~~  
12 ~~development district levied a tax pursuant to chapter 10-13 in a manner used by a new~~  
13 ~~taxing district for taxes payable in 2010, such water development district shall revert to~~  
14 ~~the amount of revenue payable to the district for taxes payable in 2009 including any~~  
15 ~~excess levy approved pursuant to § 10-13-36 before July 1, 2002. The water development~~  
16 ~~district may adjust the maximum amount of revenue payable for property taxes based on~~  
17 ~~the growth and index factor for each year thereafter. Any excess levy approved by the~~  
18 ~~water development district pursuant to § 10-13-36 before July 1, 2002, is null and void.~~