



2021 South Dakota Legislature
House Bill 1191
ENROLLED

AN ACT

ENTITLED An Act to allow an expedited process for local intergovernmental legal disputes.

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

Section 1. That a NEW SECTION be added:

15-6-72.1. Local intergovernmental actions--Expedited action--Alternative dispute resolution.

In order to facilitate the quick and efficient resolution of disputes, whenever two or more local governmental bodies are engaged in a legal dispute, on motion of any party or on its own, the court may order the parties to proceed:

- (1) Under the expedited civil action process set out in §§ 15-6-73 to 15-6-76.1, inclusive, regardless of any amount in controversy; or
- (2) To alternative dispute resolution, other than binding arbitration, on such terms as the court may order.

Section 2. That a NEW SECTION be added:

15-6-72.2. Definition--Local government body.

For the purposes of § 15-6-72.1, the term, local government body, shall mean:

- (1) Any county, municipality, township, or unincorporated territory;
- (2) Any school district;
- (3) Any organization that offers a public service, organized or authorized by a county, municipality, or township, including law enforcement, fire protection services, or emergency medical services; and
- (4) Any special district including ambulance districts under chapter 34-11A, conservation districts under chapter 38-8, consumer power districts under chapters 49-35 through 49-40, drainage basis utility districts under chapter 46A-10B, improvement districts under chapter 7-25A, irrigation districts under chapters 46A-

4 through 46A-7, predator control districts under chapter 40-37, public hospital districts under chapter 34-10, regional railroad authorities under chapter 49-17A, regional recycling and waste management districts under chapter 34A-16, road districts under chapter 31-12A, rural fire protection districts under chapter 34-31A, sanitary districts under chapter 34A-5, water development districts under chapters 46A-3A through 46A-3E, water project districts under chapter 46A-18, water user districts under chapter 46A-9, or watershed districts under chapter 46A-14.

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I certify that the attached Act originated in the:
House as Bill No. 1191

Received at this Executive Office this ____ day of _____, 2021 at _____ M.

Chief Clerk

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this ____ day of _____, A.D., 2021

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2021 at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1191
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State