

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

381T0706

HOUSE BILL NO. 1243

Introduced by: Representative Greenfield

1 FOR AN ACT ENTITLED, An Act to require that notice be provided before certain drainage
2 activities are undertaken.

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

4 Section 1. That chapter 46A-10A be amended by adding thereto a NEW SECTION to read
5 as follows:

6 At least forty-five days before beginning any drainage activity, any landowner who intends
7 to conduct such drainage activity on the landowner's property shall notify, by registered or
8 certified mail, all directly affected adjoining landowners and all directly affected third parties
9 holding drainage interests of the intended activity. Property is considered as adjoining even if
10 it is separated by a public road or highway. The landowner shall use information provided by
11 the county director of equalization to determine the abutting and adjoining land owners. If the
12 property on which the drainage activity is to be conducted adjoins a county boundary, the county
13 auditor on behalf of the individual landowner shall also notify, by registered or certified mail,
14 the county auditor in the adjoining county of the intended drainage activity at least forty-five
15 days before the drainage activity begins.

