



2024 South Dakota Legislature

Senate Bill 124

Introduced by: **Senator Klumb**

1 **An Act to revise the eligibility of roads for the rural access infrastructure fund.**

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

3 **Section 1. That § 31-34-3 be AMENDED:**

4 **31-34-3.** Each county shall establish a rural access infrastructure fund for the
5 deposit of moneys received pursuant to this chapter. The board of county commissioners
6 may only distribute fund moneys for the following expenses:

- 7 (1) Engineering, hydrological studies, planning, materials, and other costs as
8 necessary to plan for and complete the projects;
- 9 (2) Construction, rehabilitation, or replacement of small structures located in
10 townships complying with the requirements of this chapter;
- 11 (3) Construction, rehabilitation, or replacement of small structures described in a
12 county highway and bridge improvement plan that are located on county secondary
13 highways.

14 The moneys may not be used on a ~~no maintenance roads or minimum maintenance~~
15 ~~roads~~ road.

16 Moneys not obligated or spent from a county's fund may be used for the expenses
17 until reverted pursuant to § 4-8-21. Moneys may only be used for the expenses of those
18 small structures inventoried with the department, as referenced in § 31-34-2, by June
19 first of the preceding fiscal year.

20 **Section 2. That § 31-34-5 be AMENDED:**

21 **31-34-5.** The board of county commissioners shall, at a minimum, consider the
22 following criteria in awarding rural access infrastructure grants:

- 23 (1) Traffic use of the highway;
- 24 (2) Public safety;
- 25 (3) Residential, commercial, recreational, and other uses of the highway;

- 1 (4) Cost of the project;
- 2 (5) Length of detour if the project is not completed;
- 3 (6) Number of residences, farms, and ranches served by the project;
- 4 (7) Contribution from the township or others to the project and the ability of the
5 township to fund the project without utilizing the rural access infrastructure fund;
- 6 (8) Confirmation the project is not located on a no maintenance ~~or minimum~~
7 ~~maintenance~~ road;
- 8 (9) Hydrological impact;
- 9 (10) If the highway does not terminate into a field entrance, driveway, single residence,
10 farm, or ranch;
- 11 (11) The application, or group of applications, that best serves the citizens of this state;
12 and
- 13 (12) Any other matters deemed applicable by the board of county commissioners.
- 14 The decisions of the county commissioner ~~shall~~ must be final and nonappealable.
- 15 However, a denied application may be submitted in a subsequent year.