



2024 South Dakota Legislature
Senate Bill 124
ENROLLED

AN ACT

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

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

Section 1. That § 31-34-3 be AMENDED:

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

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

The moneys may not be used on a no maintenance road.

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

Section 2. That § 31-34-5 be AMENDED:

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

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

- (4) Cost of the project;
- (5) Length of detour if the project is not completed;
- (6) Number of residences, farms, and ranches served by the project;
- (7) Contribution from the township or others to the project and the ability of the township to fund the project without utilizing the rural access infrastructure fund;
- (8) Confirmation the project is not located on a no maintenance road;
- (9) Hydrological impact;
- (10) If the highway does not terminate into a field entrance, driveway, single residence, farm, or ranch;
- (11) The application, or group of applications, that best serves the citizens of this state; and
- (12) Any other matters deemed applicable by the board of county commissioners.

The decisions of the county commissioner must be final and nonappealable. However, a denied application may be submitted in a subsequent year.

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I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

Senate as Bill No. 124

2024 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby approved this _____ day of _____, A.D., 2024

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2024
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 124
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State