

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

832B0222

HOUSE COMMERCE AND ENERGY

ENGROSSED NO. **HB 1090** - 2/22/2019

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Johnson (David), Chase, Finck, Glanzer, McCleerey, and Smith (Jamie) and Senators Rusch, Heinert, Nesiba, Smith (VJ), and Steinhauer

1 FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the exercise of certain
2 powers over certain property.

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

4 Section 1. That § 50-7-2.2 be repealed.

5 ~~—50-7-2.2. This state or any governmental agency of this state having any powers with respect~~
6 ~~to planning, establishing, acquiring, developing, constructing, enlarging, improving,~~
7 ~~maintaining, equipping, operating, regulating, or protecting airports or aviation facilities within~~
8 ~~this state, may exercise those powers within any state or jurisdiction adjoining this state, subject~~
9 ~~to the laws of that state or jurisdiction.~~

10 Section 2. That § 50-7-2.3 be repealed.

11 ~~—50-7-2.3. Any state adjoining this state or any governmental agency thereof may plan,~~
12 ~~establish, acquire, develop, construct, enlarge, improve, maintain, equip, operate, regulate, and~~
13 ~~protect airports and airport facilities within this state, subject to the laws of this state applicable~~



1 ~~to airports and airport facilities. The adjoining state or governmental agency shall have the~~
2 ~~power of eminent domain in this state, which shall be exercised in the manner provided by the~~
3 ~~laws of this state governing condemnation proceedings. The power of eminent domain may not~~
4 ~~be exercised unless the adjoining state authorizes the exercise of that power therein by this state~~
5 ~~or any governmental agency thereof having any of the powers mentioned in this section and~~
6 ~~§ 50-7-2.2.~~

7 Section 3. That § 50-7-2.4 be repealed.

8 ~~50-7-2.4. The powers granted in §§ 50-7-2.2 and 50-7-2.3 may be exercised jointly by two~~
9 ~~or more states or governmental agencies, including this state and its governmental agencies, in~~
10 ~~such combination as may be agreed upon by them.~~