



2020 South Dakota Legislature  
**House Bill 1124**  
**ENROLLED**

AN ACT

**ENTITLED An Act to provide for an increase in the assessment against certain treated land.**

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

**Section 1.** That § 38-8A-26 be AMENDED:

**38-8A-26. Assessment against land treated by board--Promulgation of rules.**

Upon the completion of the treatment performed pursuant to § 38-8A-25, the board of supervisors shall determine the land so benefited and notify the board of county commissioners, who shall assess against that land the cost of the treatment. The assessment may be made only against that portion of any tract of land which is the source of the wind or soil erosion.

Except as otherwise provided in this section, the assessment may not exceed the actual cost of the treatment or thirty-seven dollars per acre, whichever is less.

Beginning January 1, 2021, the commission may, by rules promulgated in accordance with chapter 1-26, annually increase the maximum assessment per acre authorized by this section by the lesser of:

- (1) Three percent; or
- (2) The rate of inflation for the preceding calendar year, as established by the United States Department of Labor Bureau of Labor Statistics.

The resolution of assessment shall be recorded in the minutes of the board of county commissioners, the original delivered by the clerk of the board to the county director of equalization, and a copy sent by registered mail to the landowner at the address shown on the records of the county director of equalization and to the operator.

An Act to provide for an increase in the assessment against certain treated land.

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I certify that the attached Act originated in the:

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_,

House as Bill No. 1124

2020 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2020

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2020  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1124  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State