

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

915Q0636

HOUSE BILL NO. 1232

Introduced by: Representatives Hunt, Gosch, Kirkeby, Rounds, Solum, and Wink and
Senators Rhoden, Dempster, Garnos, Howie, Miles, and Nesselhuf

1 FOR AN ACT ENTITLED, An Act to decrease publication costs for certain notices by reducing
2 the number of required official newspapers that shall be designated by the counties.

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

4 Section 1. That § 7-18-3 be amended to read as follows:

5 7-18-3. At its regular meeting in January of each year ~~it shall be the duty of the board of~~
6 county commissioners to shall designate ~~three~~ one or more legal newspapers printed in the
7 county as the official newspaper or newspapers, ~~or in case there shall not be three legal~~
8 ~~newspapers within the county, then as many as are legal, in which shall be published.~~ The board
9 shall publish a full and complete report of all its official proceedings at all regular and special
10 meetings, and ~~such shall publish the proceedings shall be published~~ as soon after any meeting
11 as practicable. The board shall pay for publishing ~~such~~ the proceedings at a rate not to exceed
12 ninety percent of the legal line rates for weekly newspapers and not to exceed the legal line rate
13 for daily newspapers, as provided in chapter 17-2.

14 All notices required by law to be published by the county auditor shall also be published in
15 the official newspaper or newspapers.



1 Section 2. That § 7-18-4 be amended to read as follows:

2 7-18-4. The editor, or publisher, or foreman of each official newspaper; shall file ~~or cause~~
3 ~~to be filed with the county auditor~~ an affidavit of publication, executed in due form, of ~~all legal~~
4 each official ~~publications so made; provided, however, that not more than two newspapers~~
5 ~~within the same municipality shall be so designated, if there are other legal newspapers~~
6 ~~published elsewhere within the county~~ publication made pursuant to this title with the county
7 auditor.

8 Section 3. That § 7-8-16 be amended to read as follows:

9 7-8-16. The board of county commissioners shall hold its sessions as an open meeting and
10 transact all business in a public manner. Meetings shall normally be held at the court house or
11 at the usual place of holding court; however the board may occasionally hold its sessions at any
12 other suitable place at the county seat or at other locations within the geographic county area if
13 the meetings are held in a public place and if notice of the meeting is published once a week for
14 at least two successive weeks before the meeting in the ~~legal~~ official newspaper or newspapers
15 of the county in which the meeting is to be held. Joint county-municipal planning sessions may
16 be held at any suitable location within the county. All matters pertaining to the interests of the
17 county shall be heard by the board in session only, but it may continue any business from any
18 regular session to an intermediate day.

19 Section 4. That § 7-18-25 be amended to read as follows:

20 7-18-25. If the board of county commissioners receives a petition pursuant to § 7-18-24, the
21 board shall schedule a public hearing to be held within thirty days of receipt of ~~such~~ the petition.
22 The board of county commissioners shall publish a notice of ~~such~~ the hearing once a week for
23 two successive weeks in the ~~legal~~ official newspaper or newspapers of the county.