

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

813S0207

SENATE BILL NO. 83

Introduced by: Senators Tidemann, Cutler, Gray, Haverly, Hunhoff (Jean), Kraus, Lederman, Peters, Rave, and Schlekeway and Representatives Kirkeby, Abdallah, Brunner, Hunt, Jensen, Olson (Betty), Tornow, Turbiville, Verchio, Wick, and Willadsen

1 FOR AN ACT ENTITLED, An Act to revise certain requirements relating to the publication of
2 municipal ordinances and resolutions.

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

4 Section 1. That § 9-19-7 be amended to read as follows:

5 9-19-7. The title of all ordinances shall be read twice with at least five days intervening
6 between the first and second reading. The ordinance shall be signed by the mayor or acting
7 mayor or president of the Board of Trustees, filed with the auditor or clerk, and published once
8 ~~except that an ordinance incorporating and adopting comprehensive regulations or a code~~
9 ~~promulgated, approved, and published by a recognized and established national organization~~
10 ~~prescribing building, electrical, plumbing, safety, fire, health, or milk regulations need not be~~
11 ~~published in a newspaper, but upon adoption of such an ordinance the auditor or clerk shall~~
12 ~~publish a notice of the fact of adoption once a week for two successive weeks in the official~~
13 ~~newspaper, and twenty days after the completed publication of such notice, unless the~~
14 ~~referendum shall have been invoked, such ordinance shall become effective by title with~~



1 information on where to obtain the full text of the ordinance. Copies of the full ordinance shall
2 be made available for review at the municipal finance office and shall be published on the
3 municipal website if one exists.

4 Section 2. That § 9-19-8 be amended to read as follows:

5 9-19-8. Any resolution may be passed after one reading and shall be recorded ~~at length~~ by
6 title in the minutes of the meeting at which it is passed, with a statement of the number of votes
7 for and against it. ~~Such~~ The resolution shall be published ~~in full~~ by title with information on
8 where to obtain the full text of the resolution either as part of the minutes or separately. Copies
9 of the full resolution shall be made available for review at the municipal finance office and shall
10 be published on the municipal website if one exists.

11 Section 3. That § 7-18A-5 be amended to read as follows:

12 7-18A-5. The title of all ordinances shall be read twice with at least five days intervening
13 between the first and second reading. Any ordinance shall be signed by the chairman of the
14 board or the acting chairman, filed with the county auditor and published once by title, along
15 with information on where to obtain the full text of the ordinance. ~~However, an ordinance~~
16 ~~incorporating and adopting comprehensive regulations or a code promulgated, approved, and~~
17 ~~published by a recognized and established national organization prescribing building, electrical,~~
18 ~~plumbing, safety, fire, health, or milk regulations need not be published in a newspaper, but,~~
19 ~~upon adoption of such an ordinance, the auditor shall publish a notice of the fact of adoption~~
20 ~~once a week for two successive weeks.~~

21 Section 4. That § 7-18A-7 be amended to read as follows:

22 7-18A-7. A resolution may be passed after one reading. It shall be recorded ~~at length~~ by title
23 in the minutes of the meeting at which it is passed, with a statement of the number of votes for
24 and against the ~~same~~ resolution and with information on where to obtain the full text of the

1 resolution. It shall be published ~~in full~~ by title as part of the minutes of the board.