

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

852S0197

## SENATE BILL NO. 98

Introduced by: Senators Vehle and Bradford and Representatives Rozum, Carson, and Schrempp

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the employment of  
2 a city manager and to declare an emergency.

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

4 Section 1. That § 9-10-1 be amended to read as follows:

5 9-10-1. If a petition signed by fifteen percent of the registered voters of any first or second  
6 class municipality as determined by the total number of registered voters at the last preceding  
7 general election ~~is presented requesting that an election be called to vote upon the proposition~~  
8 ~~of employing a city manager, the governing body shall call an election for that purpose to be~~  
9 ~~held within sixty days from the date of filing such petition with the auditor. Upon receipt of a~~  
10 ~~valid petition, the question shall be presented at the next annual municipal election or the next~~  
11 ~~general election, whichever is earlier. However, the governing body may expedite the date of~~  
12 ~~the election by ordering, within ten days of receiving the petition, a special election to be held~~  
13 ~~on a Tuesday not less than thirty days from the date of the order of the governing body.~~

14 The election shall be held upon the same notice and conducted in the same manner as other  
15 ~~city~~ municipal elections. The vote upon the question of employing a city manager shall be by



1 ballot which conforms to a ballot for statewide question except that the statement required to  
2 be printed on the ballot shall be prepared by the municipal attorney.

3 Section 2. Whereas, this Act is necessary for the support of the state government and its  
4 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
5 full force and effect from and after its passage and approval.