

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

591X0436

HOUSE BILL NO. 1117

Introduced by: Representatives Munsterman, Bartling, Hawks, and Hawley and Senators
Tidemann and Heinert

1 FOR AN ACT ENTITLED, An Act to repeal certain provisions concerning the authorization
2 for the use of other languages in public records or public meetings.

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

4 Section 1. That § 1-27-22 be amended to read:

5 1-27-22. The provisions of §§ 1-27-20 to 1-27-26, inclusive, do not apply:

6 (1) To instruction in foreign language courses;

7 (2) To instruction designed to aid students with limited English proficiency in a timely
8 transition and integration into the general education system;

9 (3) To the conduct of international commerce, tourism, and sporting events;

10 (4) When deemed to interfere with needs of the justice system;

11 (5) When the public safety, health, or emergency services require the use of other
12 languages. ~~However, any such authorization for the use of a language other than the~~

13 ~~common language in printing informational materials or publications for general~~
14 ~~distribution must be approved in an open public meeting pursuant to chapter 1-25 by~~

15 ~~the governing board or authority of the relevant state or municipal entity and the~~



1 ~~decision shall be recorded in publicly available minutes; and~~

2 (6) When expert testimony, witnesses, or speakers require a language other than the
3 common language. However, for purposes of deliberation, decision making, or record
4 keeping, the official version of such testimony or commentary shall be the officially
5 translated English language version.

6 Section 2. That § 1-27-23 be repealed.

7 ~~1-27-23. Pursuant to the exemptions outlined in § 1-27-22, all costs related to the~~
8 ~~preparation, translation, printing, and recording of documents, records, brochures, pamphlets,~~
9 ~~flyers, or other informational materials in languages other than the common language shall be~~
10 ~~delineated as a separate budget line item in the agency, departmental, or office budget.~~

11 Section 3. That § 1-27-26 be repealed.

12 ~~1-27-26. Any citizen of the state has standing to bring an action against the state to enforce~~
13 ~~§§ 1-27-20 to 1-27-26, inclusive. The circuit court has jurisdiction to hear and decide any such~~
14 ~~action brought pursuant to §§ 1-27-20 to 1-27-26, inclusive.~~