2024 South Dakota Legislature

Senate Bill 5

Introduced by: ***Senator*** *Rohl*

An Act to reduce the amount of time required before the removal of a city manager is effective.

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

Section 1. That § 9-10-11 be AMENDED:

9-10-11. The governing body shall appoint the city manager ~~shall be appointed~~ for an indefinite term but may ~~be removed~~ remove the manager by majority vote of the members of the governing body. At least ~~thirty~~ fourteen days before ~~such~~ the removal may become effective, the ~~manager shall be furnished with~~ governing body shall present a formal statement in the form of a resolution passed by a majority vote of ~~such~~ the governing body to the manager stating the intention of ~~such~~ the governing body to remove ~~him~~ the manager, and the reasons therefor. ~~He~~ The manager may reply in writing to ~~such~~ the resolution. If ~~so~~ requested by the manager, the governing body ~~shall~~ must fix a time for a public hearing upon the question of ~~his~~ the manager's removal, and the final resolution removing ~~him shall~~ the manager may not be adopted until ~~such~~ the public hearing has ~~been had~~ occurred.

Upon passage of a resolution stating the governing body's intention to remove the manager, ~~such~~ the governing body may suspend ~~him~~ the manager from duty, but ~~his~~ the manager's pay ~~shall~~ must continue until ~~his~~ the manager's removal ~~shall become~~ is effective as ~~herein~~ provided by this section. The action of the governing body in removing the manager ~~shall be~~ is final.