

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

924A0066

SENATE BILL NO. 144

Introduced by: Senators Kleven, Benson, and Johnson (William) and Representatives
McNenny, Pummel, and Wetz

1 FOR AN ACT ENTITLED, An Act to revise the provision concerning when a full-time state's
2 attorney may be designated.

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

4 Section 1. That § 7-7-12 be amended to read as follows:

5 7-7-12. The state's attorney shall receive a salary established by each board of county
6 commissioners, by resolution, but may not be less than the following: Upon the first four
7 thousand of population, or less, the sum of twenty-one thousand two hundred forty-one dollars
8 per year, and four hundred seventy-one dollars for each additional one thousand population or
9 fraction thereof up to and including twenty-two thousand population; in counties over
10 twenty-two thousand population but less than thirty-five thousand population the sum of thirty
11 thousand two hundred thirty-five dollars per year; in counties of thirty-five thousand population
12 or more the sum of thirty-one thousand two hundred twenty-seven dollars per year; in counties
13 of over fifty thousand population where a full-time state's attorney is required or in counties
14 where the commissioners designate the position full-time the sum of forty-nine thousand four
15 hundred thirty-four dollars per year. In counties of less than fifty thousand population the

1 commissioners may designate the position full-time. The decision by the commissioners shall be
2 adopted prior to the first day of January in the year of the election and may not be amended for
3 that term of office, unless agreed to by the state's attorney and the board of county
4 commissioners. However, if no state's attorney is elected to the office at any general election, the
5 board of county commissioners may contract for such legal services and negotiate the
6 compensation therefor on terms and conditions determined by the board of county
7 commissioners. The board of county commissioners may not decrease the salary of the state's
8 attorney during the term of office of the state's attorney.