

AN ACT

ENTITLED, An Act to adjust the salary schedule for the office of state's attorney.

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

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

7-7-12. The board of county commissioners shall establish, by resolution, the salary payable to the state's attorney. The salary payable may not be less than the following schedule as based upon the most recent decennial federal census of population for counties:

County Population	Salary Schedule
Below 5,000	\$23,750
5,000 - 9,999	\$26,100
10,000 - 20,000	\$31,300
20,000 - 49, 999	\$33,750

In counties of over fifty thousand population where a full-time state's attorney is required or in counties where the commissioners designate the position full-time the sum of fifty-one thousand nine hundred dollars per year. In counties of less than fifty thousand population the commissioners may designate the position full-time. The decision by the commissioners shall be adopted prior to the first day of January in the year of the election and may not be amended for that term of office. However, if no state's attorney is elected to the office at any general election, the board of county commissioners may contract for such legal services and negotiate the compensation therefor on terms and conditions determined by the board of county commissioners. The board of county commissioners may not decrease the salary of the state's attorney during consecutive terms of office of the state's attorney.

Section 2. Section 1 of this Act is effective on January 1, 2003.

Section 3. That § 7-7-12 be amended to read as follows:

7-7-12. The board of county commissioners shall establish, by resolution, the salary payable to

the state's attorney. The salary payable may not be less than the following schedule as based upon the most recent decennial federal census of population for counties:

County Population	Salary Schedule
Below 5,000	\$26,250
5,000 - 9,999	\$28,600
10,000 - 20,000	\$33,800
20,000 - 49, 999	\$36,250

In counties of over fifty thousand population where a full-time state's attorney is required or in counties where the commissioners designate the position full-time the sum of fifty-four thousand four hundred dollars per year. In counties of less than fifty thousand population the commissioners may designate the position full-time. The decision by the commissioners shall be adopted prior to the first day of January in the year of the election and may not be amended for that term of office. However, if no state's attorney is elected to the office at any general election, the board of county commissioners may contract for such legal services and negotiate the compensation therefor on terms and conditions determined by the board of county commissioners. The board of county commissioners may not decrease the salary of the state's attorney during consecutive terms of office of the state's attorney.

Section 4. Section 3 of this Act is effective on January 1, 2004.

An Act to adjust the salary schedule for the office of state's attorney.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1171

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1171

File No. _____

Chapter No. _____

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Received at this Executive Office this ____ day of _____ ,

20__ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State