

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

813I0198

HOUSE BILL NO. 1082

Introduced by: Representatives Pederson (Gordon), Fryslie, and Lintz and Senator Vitter

1 FOR AN ACT ENTITLED, An Act to modify the procedure for changing the number of county
2 commissioners in a county.

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

4 Section 1. That § 7-8-3 be amended to read as follows:

5 7-8-3. The number of county commissioners of any county may be increased to five or seven
6 or reduced to five or three. If fifteen percent of the registered voters of the county, based upon
7 the total number of registered voters at the last preceding general election, petition the board of
8 county commissioners for an increase or decrease in the number of county commissioners, the
9 board shall submit the question to a vote of the voters of the county at the next primary general
10 election. Notice of the submission of such question shall be given in the notice of ~~such primary~~
11 the general election.

12 Section 2. That § 7-8-6 be amended to read as follows:

13 7-8-6. If at such election a majority of all votes cast is for an increase, the board within ~~ten~~
14 one hundred eighty days after the votes have been canvassed shall redistrict the county into
15 numbered districts. As to any members of such board whose terms of office extend for an
16 additional two years beyond the ~~commencement of the next calendar year~~ next general election,



1 the tenure of office is not affected, and in redistricting the county the board shall designate the
2 districts to be represented by such members, ~~the districts so designated to be districts which~~
3 ~~would elect a commissioner at the next general election following that to be held in the current~~
4 ~~year. Such.~~ The commissioner shall be a resident of the district that the commissioner is
5 designated to represent. Each district for which representation is not provided by such
6 designations shall, at the next ensuing general election, elect a commissioner, the term of office
7 to be determined as provided in § 7-8-1.

8 Section 3. That § 7-8-7 be amended to read as follows:

9 7-8-7. If the election results in a majority for a decrease, the five or seven districts are
10 thereby abolished and the board, within ~~ten~~ one hundred eighty days after the votes have been
11 canvassed, shall redistrict the county into three or five numbered districts from each of which
12 districts a commissioner shall be elected at the next general election, the term of office to be
13 determined as provided in § 7-8-1.

14 Section 4. That § 7-8-9 be repealed.

15 ~~7-8-9. Any commissioner to be elected at the next general election following a redistricting~~
16 ~~of the county under § 7-8-6 or 7-8-7 shall be nominated by petition pursuant to the provisions~~
17 ~~for nominating independent candidates for public office by petition. However, the filing deadline~~
18 ~~shall be the first Tuesday in August.~~