

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

183I0573

SENATE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **SB 178** - 02/11/2003

Introduced by: Senators de Hueck, Abdallah, Bogue, Brown, Duniphan, Knudson, and Koetzle and Representatives LaRue, Adelstein, Buckingham, Cutler, Elliott, Haverly, Hennies, Murschel, and Weems

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the publication and
2 distribution of municipal and school district minutes.

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

4 Section 1. That § 13-8-35 be amended to read as follows:

5 13-8-35. Within twenty days after a meeting of the school board, the board shall cause to be
6 published in the designated legal newspaper a full account of the unapproved proceedings of such
7 meeting, giving a detailed statement of all expenditures of money, with the names of persons to
8 whom payment is made, showing the service rendered or goods furnished, a detailed statement
9 of receipts, and balance on hand. Expenditures and receipts of trust and agency funds may be
10 published in total only.

11 If the published minutes of the previous meeting of the board are modified, amended, or
12 corrected by such board subsequent to such publication and prior to approval by the board, ~~such~~
13 the changes shall be reflected in the minutes of the meeting at which ~~such~~ the modifications,
14 amendments, or corrections are made.



1 The business manager shall sign each legal publication submitted to the newspaper. The
2 school board shall make copies of the minutes available to the public at any public library in the
3 school district, at the school district's business office, and by means of a mailing list, which shall
4 be established at the school district's business finance office and shall be used to mail copies of
5 the minutes to members of the public who request to be on the mailing list. If less expensive than
6 publishing in the designated legal newspaper, in lieu of such publication the school board may
7 mail or otherwise distribute the minutes to each address within the boundaries of the school
8 district. Any newspaper may publish the minutes free of charge as a public service announcement
9 in lieu of publishing for pay. The school board of a school district in any first-class municipality
10 may publish its minutes on the internet in lieu of publishing the minutes in the official legal
11 newspaper or other newspaper. Twice each year, each school district shall publish a notice in the
12 designated legal newspaper specifying where the minutes are available and how they may be
13 obtained.

14 Section 2. That chapter 13-8 be amended by adding thereto a NEW SECTION to read as
15 follows:

16 Any publication required to be published by any school district in a legal newspaper shall bear
17 an inscription listing the publisher and the approximate cost of publication of the notice, report,
18 ordinance, resolution, or any other required publication. The style of the inscription shall be as
19 follows: "This required notice was published by _____ (inserting name of newspaper)
20 at the cost of _____ (inserting cost of the required publication taxpayer dollars).

21 Section 3. That § 9-18-1 be amended to read as follows:

22 9-18-1. The governing body of every municipality shall cause to be published in the official
23 legal newspaper ~~therein~~ of the municipality, or, if no official legal newspaper is published ~~therein~~
24 in the municipality, in any legal newspaper ~~which serves such~~ that serves the municipality, within

1 thirty days after each meeting ~~thereof~~ of the governing body, the minutes of the meeting
2 containing a full account of the proceedings at ~~such~~ the meeting, giving a detailed statement of
3 all expenditures of money, the names of the persons to whom payment is made, and showing the
4 service rendered therefor. It shall pay for publishing ~~such~~ the proceedings not to exceed ninety
5 percent of the legal line rates for weekly newspapers and not to exceed the legal line rate for
6 daily newspapers, as provided in § 17-2-19. The governing body shall make copies of the
7 minutes available to the public at any public library in the municipality and at the municipal
8 finance office and by means of a mailing list, which shall be established at the municipal finance
9 office and shall be used to mail copies of the minutes to members of the public who request to
10 be on the mailing list. If less expensive than publishing in the official newspaper, in lieu of such
11 publication the governing body may mail or otherwise distribute the minutes to each address
12 within the boundaries of the municipality. Any newspaper may publish the minutes free of charge
13 as a public service announcement in lieu of publishing for pay. The governing body of any
14 first-class municipality may publish its minutes on the internet in lieu of publishing the minutes
15 in the official legal newspaper or other newspaper. Twice each year, each municipality shall
16 publish a notice as provided in this section specifying where the minutes are available and how
17 they may be obtained.

18 Section 4. That chapter 9-18 be amended by adding thereto a NEW SECTION to read as
19 follows:

20 Any publication required to be published by any municipality in a legal newspaper shall bear
21 an inscription listing the published newspaper and the approximate cost of publication of the
22 notice, report, ordinance, resolution, or any other required publication. The style of the
23 inscription shall be as follows: "This required notice was published by _____ (inserting
24 name of newspaper) at the cost of _____ (inserting cost of the required publication

1 taxpayer dollars.