

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

183I0573

SENATE BILL NO. 178

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.

15 The business manager shall sign each legal publication submitted to the newspaper. The



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

12 Section 2. That § 9-18-1 be amended to read as follows:

13 9-18-1. The governing body of every municipality shall cause to be published in the official
14 legal newspaper ~~therein~~ of the municipality, or, if no official legal newspaper is published ~~therein~~
15 in the municipality, in any legal newspaper ~~which serves such~~ that serves the municipality, within
16 thirty days after each meeting ~~thereof~~ of the governing body, the minutes of the meeting
17 containing a full account of the proceedings at ~~such~~ the meeting, giving a detailed statement of
18 all expenditures of money, the names of the persons to whom payment is made, and showing the
19 service rendered therefor. It shall pay for publishing ~~such~~ the proceedings not to exceed ninety
20 percent of the legal line rates for weekly newspapers and not to exceed the legal line rate for
21 daily newspapers, as provided in § 17-2-19. The governing body shall make copies of the
22 minutes available to the public at any public library in the municipality and at the municipal
23 finance office and by means of a mailing list, which shall be established at the municipal finance
24 office and shall be used to mail copies of the minutes to members of the public who request to

1 be on the mailing list. If less expensive than publishing in the official newspaper, the governing
2 body may mail the minutes to each address within the boundaries of the municipality. Any
3 newspaper may publish the minutes free of charge as a public service announcement in lieu of
4 publishing for pay. The governing body of any first-class municipality may publish its minutes
5 on the internet in lieu of publishing the minutes in the official legal newspaper or other
6 newspaper. Twice each year, each municipality shall publish a notice as provided in this section
7 specifying where the minutes are available and how they may be obtained.