

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

934J0623

HOUSE BILL NO. 1190

Introduced by: Representatives Deadrick (Thomas), Bartling, Christensen, Cutler, Engels, Gillespie, Heineman, Hennies, Juhnke, Klaudt, Lintz, McCaulley, Peterson (Bill), Peterson (Jim), Rhoden, Schafer, and Van Gerpen and Senators Schoenbeck, Bogue, de Hueck, and Diedrich (Larry)

1 FOR AN ACT ENTITLED, An Act to provide for public notice and comment on applicants for
2 judicial nomination by the Judicial Qualifications Commission.

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

4 Section 1. That chapter 16-1A be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Not less than twenty days prior to the date when the Judicial Qualifications Commission
7 contemplates making its final selection of nominees for any judicial vacancy, the commission
8 shall publicly release the names of any applicants who have been found qualified and who
9 remain under active consideration as candidates for nomination. However, the commission may
10 not publicly release the name of any applicant who has been found unqualified or who has
11 ceased, for any reason, to be under active consideration as a candidate for nomination.

12 Section 2. That chapter 16-1A be amended by adding thereto a NEW SECTION to read as
13 follows:

14 The Judicial Qualifications Commission shall afford the public a reasonable opportunity to



1 comment upon the candidacy of any applicant whose name is released pursuant to section 1 of
2 this Act. If the commission determines, at its discretion, that it is either necessary or appropriate,
3 the commission may adopt rules, subject to the approval of the Supreme Court, to regulate any
4 aspect of the public comment process.