

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

455L0501

## HOUSE BILL NO. 1099

Introduced by: Representatives Wick, Halverson, Hennies, Hunt, McLaughlin, Murschel, Rave, Roberts, Thompson, and Tornow and Senators Kelly, Abdallah, Broderick, Duniphan, Gant, Knudson, and Napoli

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the publications and  
2 distribution of school district, municipal, and county 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  
6 be published in the designated legal newspaper a full account of the unapproved proceedings  
7 of such meeting, giving a detailed statement of all expenditures of money, with the names of  
8 persons to whom payment is made, showing the service rendered or goods furnished, a detailed  
9 statement of receipts, and balance on hand. Expenditures and receipts of trust and agency funds  
10 may be 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 and at the school district's business office. Any newspaper may publish the  
3 minutes free of charge as a public service announcement in lieu of publishing for pay. The  
4 school board of a school district in any first-class municipality may publish its minutes on the  
5 internet in lieu of publishing the minutes in the official legal newspaper or other newspaper.  
6 Twice each year, each school district shall publish a notice in the designated legal newspaper  
7 specifying where the minutes are available and how the minutes may be obtained.

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

9 9-18-1. The governing body of every municipality shall cause to be published in the official  
10 legal newspaper ~~therein of the municipality~~, or, if no official legal newspaper is published  
11 ~~therein in the municipality~~, in any legal newspaper ~~which serves such~~ that serves the  
12 municipality, within thirty days after each meeting thereof of the governing body, the minutes  
13 of the meeting containing a full account of the proceedings at such the meeting, giving a detailed  
14 statement of all expenditures of money, the names of the persons to whom payment is made, and  
15 showing the service rendered therefor. It. The governing body shall pay for publishing such the  
16 proceedings not to exceed ninety percent of the legal line rates for weekly newspapers and not  
17 to exceed the legal line rate for daily newspapers, as provided in § 17-2-19. The governing body  
18 shall make copies of the minutes available to the public at any public library in the municipality  
19 and at the municipal finance office. Any newspaper may publish the minutes free of charge as  
20 a public service announcement in lieu of publishing for pay. The governing body of any  
21 first-class municipality may publish its minutes on the internet in lieu of publishing the minutes  
22 in the official legal newspaper or other newspaper. Twice each year, each municipality shall  
23 publish a notice as provided in this section specifying where the minutes are available and how  
24 the minutes may be obtained.

1 Section 3. That chapter 7-18 be amended by adding thereto a NEW SECTION to read as  
2 follows:

3 The board of county commissioners shall, in addition to the provisions of § 7-18-3, make  
4 copies of the minutes available to the public at any public library in any first class municipality  
5 located in the county and at the municipal finance office. Any newspaper may publish the  
6 minutes free of charge as a public service announcement in lieu of publishing for pay. The board  
7 may publish its minutes on the internet in lieu of publishing the minutes in the official legal  
8 newspaper or other newspaper. Twice each year, each county with at least one first class  
9 municipality shall publish a notice as provided in this section specifying where the minutes are  
10 available and how the minutes may be obtained.