

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

794S0429

## HOUSE BILL NO. 1078

Introduced by: Representatives Wick, Brunner, Dryden, Hoffman, Hunt, Jensen, Lucas, Moser, Turbiville, and Verchio and Senators Gray, Haverly, Johnston, and Peters

1 FOR AN ACT ENTITLED, An Act to allow municipalities, counties, and school districts to  
2 post certain information on the internet in addition to or in lieu of certain publication  
3 requirements.

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

5 Section 1. Any municipality, county, or school district may annually designate an official  
6 internet website. The governing body shall notify the Bureau of Information and  
7 Telecommunications of the designation. The bureau shall maintain a listing of each website  
8 designated and provide a link to each official website on the website maintained by the state  
9 pursuant to § 1-27-45.

10 Section 2. If a municipality, county, or school district designates an official internet website  
11 pursuant to this Act, there shall be at least one library or other location within its jurisdiction  
12 that is open at no cost to the public with internet access to the official website.

13 Section 3. If the publication of any notice, minutes, bid, document, or other information is  
14 required by law, any municipality, county, or school district that has designated an official



1 internet website pursuant to this Act, may in addition to the publication, or in lieu of the  
2 publication, post the information to the official website. If posted to the official website, the  
3 information shall remain posted and visible to the public for the amount of time the information  
4 is required to be kept as provided by the applicable records management program established  
5 pursuant to chapter 1-27.

6 Section 4. If any municipality, county, or school district substitutes publication by posting  
7 to the official website pursuant to this Act, the governing body shall:

8 (1) Maintain and keep, for the same amount of time as provided by the applicable  
9 records management program established pursuant to chapter 1-27, a digital or paper  
10 copy of the internet posting along with a statement, under oath, setting forth the dates  
11 of the posting;

12 (2) Publish in the official newspaper, at least twice per year with no less than six months  
13 between publications, a notice specifying where any notice, minutes, bid, document,  
14 or other information may be found and alternative methods by which the information  
15 may be obtained; and

16 (3) Allow residents of the municipality, county, or school district to register to receive  
17 a copy of the information required to be published by law mail or electronic  
18 communication.

19 Section 5. Each municipality, county, and school district shall provide a copy of each  
20 document required to be published by law to the official newspaper, and shall make the  
21 document available for public inspection at its business office.