

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

400U0528

## HOUSE BILL NO. 1115

Introduced by: The Committee on State Affairs at the request of the Office of the Governor  
and the Office of the Attorney General

1 FOR AN ACT ENTITLED, An Act to clarify the deliberative process exception to certain open  
2 records provisions.

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

4 Section 1. That § 1-27-1.9 be amended to read as follows:

5 1-27-1.9. No elected or appointed official or employee of the state or any political  
6 subdivision may be compelled to provide documents, records, or communications used for the  
7 purpose of the decisional or deliberative process relating to any decision arising from that  
8 person's official duties. Any document that is otherwise already public is not made confidential  
9 by reason of having been used in deliberations.

