

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

580V0553

HOUSE BILL NO. 1139

Introduced by: Representative Hunhoff (Bernie) and Senator Novstrup (Al)

1 FOR AN ACT ENTITLED, An Act to limit the fees a government entity may charge a person
2 to provide public documents.

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

4 Section 1. That § 1-27-35 be amended to read as follows:

5 1-27-35. Any informal request for disclosure of documents or records shall be made to the
6 custodian of the record. The custodian of the record may then provide the requestor with the
7 document or record upon payment of the actual cost of mailing or transmittal, the actual cost
8 of reproduction, or other fee established by statute or administrative rule. A requestor that makes
9 an informal request requiring the dedication of staff time in excess of one hour may be required
10 to pay ~~the cost of the~~ for staff time necessary for the location, assembly, or reproduction of the
11 public record. However, no such charge may exceed ten dollars per hour. If any records are
12 required or permitted to be made public upon request and no other rate is prescribed for
13 reproduction or retrieval of such records, the Bureau of Administration shall establish, by rules
14 promulgated pursuant to chapter 1-26, the maximum rate, or the formula for calculating rates,
15 for reproduction and retrieval.

