

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

825Z0628

HOUSE BILL NO. 1141

Introduced by: Representatives Brunner and DiSanto and Senators Monroe, Peters, and Tidemann

1 FOR AN ACT ENTITLED, An Act to revise the publication requirements for certain
2 municipalities and school districts.

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

4 Section 1. That the code be amended by adding a NEW SECTION to read:

5 Any municipality that has a population less than one thousand or school district that has an
6 enrollment of less than six hundred students may annually designate an official internet website.
7 The governing body shall notify the Bureau of Information and Telecommunications of the
8 designation. The bureau shall maintain a listing of each website designated and provide a link
9 to each official website on the website maintained by the state pursuant to § 1-27-45.

10 Section 2. That the code be amended by adding a NEW SECTION to read:

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

14 Section 3. That the code be amended by adding a NEW SECTION to read:

15 If the publication of any notice, minutes, bid, document, or other information is required by



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

6 Section 4. That the code be amended by adding a NEW SECTION to read:

7 If any municipality or school district substitutes publication by posting to the official website
8 pursuant to this Act, the governing body shall:

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

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

17 (3) Allow residents of the municipality or school district to request that a copy of the
18 required information be provided to the resident by mail or electronic
19 communication. The governing body shall also allow residents to register to receive
20 copies of the information on an ongoing basis by mail or electronic communication.

21 The copies shall be provided at the expense of the governing body.

22 Section 5. That the code be amended by adding a NEW SECTION to read:

23 Each municipality or school district substitutes publication by posting to the official website
24 pursuant to this Act shall provide a copy of each document required to be published by law to

- 1 the official newspaper and shall make the document available for public inspection at its
- 2 business office.