

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

690L0690

SENATE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **SB 171** - 02/05/2005

Introduced by: Senators Schoenbeck and Sutton (Dan) and Representatives Murschel, McLaughlin, Roberts, and Valandra

1 FOR AN ACT ENTITLED, An Act to prohibit certain officials from voting if a conflict of
2 interest exists.

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

4 Section 1. No county, municipal, or school official may vote on any issue in which the
5 official has a conflict of interest. Each official shall decide if any potential conflict of interest
6 requires such official to be disqualified from voting. However, no such official may vote on an
7 issue if the following circumstances apply:

8 (1) The official has a direct pecuniary interest in the matter before the governing body;
9 or

10 (2) At least two-thirds of the governing body votes that an official has an identifiable
11 conflict of interest that should prohibit such official from voting on a specific matter.

12 If an official with a direct pecuniary interest votes on a matter before the governing body,
13 the legal sole remedy is to invalidate that official's vote.

