

AN ACT

ENTITLED, An Act to increase the minimum salary payable to county officials, state's attorneys, and sheriffs.

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

Section 1. That § 7-7-9.1 be amended to read as follows:

7-7-9.1. The board of county commissioners shall establish, by resolution, the salary payable to the county treasurer, county auditor, and county register of deeds. The salary payable may not be less than the following schedule as based upon the most recent decennial federal census of population for counties:

County Population	Salary Schedule
Below 10,000	\$27,480
10,000-14,999	\$28,062
15,000-24,999	\$29,208
25,000-69,999	\$32,073
70,000 and over	\$34,577

The board of county commissioners may not decrease the salary of the county treasurer, county auditor, or county register of deeds during consecutive terms of office of the county treasurer, county auditor, or county register of deeds.

Section 2. That § 7-7-9.1 be amended to read as follows:

7-7-9.1. The board of county commissioners shall establish, by resolution, the salary payable to the county treasurer, county auditor, and county register of deeds. The salary payable may not be less than the following schedule as based upon the most recent decennial federal census of population for counties:

County Population	Salary Schedule
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Below 10,000	\$29,270
10,000-14,999	\$29,891
15,000-24,999	\$31,111
25,000-69,999	\$34,163
70,000 and over	\$36,830

The board of county commissioners may not decrease the salary of the county treasurer, county auditor, or county register of deeds during consecutive terms of office of the county treasurer, county auditor, or county register of deeds.

Section 3. That § 7-7-10.1 be amended to read as follows:

7-7-10.1. The board of county commissioners shall establish, by resolution, the salary payable for the combination of two or more of the following county elected positions. The salary payable may not be less than the minimum salary provided by this section as based upon the most recent decennial federal census of population for counties.

For the combination of two of the following: county treasurer, county auditor, or county register of deeds, the minimum salary for counties shall be:

County Population	Salary Schedule
Below 10,000	\$28,881
10,000-14,999	\$30,485
15,000-24,999	\$32,090
25,000-69,999	\$35,300
70,000 and over	\$38,510

For the combination of all three of the following: county treasurer, county auditor, and county register of deeds, the minimum salary for counties shall be:

County Population	Salary Schedule
Below 10,000	\$31,020

10,000-14,999	\$32,625
15,000-24,999	\$34,230
25,000-69,999	\$37,440
70,000 and over	\$41,720

Section 4. That § 7-7-10.1 be amended to read as follows:

7-7-10.1. The board of county commissioners shall establish, by resolution, the salary payable for the combination of two or more of the following county elected positions. The salary payable may not be less than the minimum salary provided by this section as based upon the most recent decennial federal census of population for counties.

For the combination of two of the following: county treasurer, county auditor, or county register of deeds, the minimum salary for counties shall be:

County Population	Salary Schedule
Below 10,000	\$30,764
10,000-14,999	\$32,475
15,000-24,999	\$34,185
25,000-69,999	\$37,600
70,000 and over	\$41,018

For the combination of all three of the following: county treasurer, county auditor, and county register of deeds, the minimum salary for counties shall be:

County Population	Salary Schedule
Below 10,000	\$33,045
10,000-14,999	\$34,752
15,000-24,999	\$36,460
25,000-69,999	\$39,880
70,000 and over	\$44,437

Section 5. That § 7-7-12 be amended to read as follows:

7-7-12. The board of county commissioners shall establish, by resolution, the salary payable to the state's attorney. The salary payable may not be less than the following schedule as based upon the most recent decennial federal census of population for counties:

County Population	Salary Schedule
Below 5,000	\$28,075
5,000 - 9,999	\$30,600
10,000 - 20,000	\$36,150
20,000 - 49,999	\$38,775

In counties of over fifty thousand population where a full-time state's attorney is required or in counties where the commissioners designate the position full-time the sum of fifty-eight thousand one hundred fifty dollars per year. In counties of less than fifty thousand population the commissioners may designate the position full-time. The decision by the commissioners shall be adopted prior to the first day of January in the year of the election and may not be amended for that term of office. However, if no state's attorney is elected to the office at any general election, the board of county commissioners may contract for such legal services and negotiate the compensation therefor on terms and conditions determined by the board of county commissioners. The board of county commissioners may not decrease the salary of the state's attorney during consecutive terms of office of the state's attorney.

Section 6. That § 7-7-12 be amended to read as follows:

7-7-12. The board of county commissioners shall establish, by resolution, the salary payable to the state's attorney. The salary payable may not be less than the following schedule as based upon the most recent decennial federal census of population for counties:

County Population	Salary Schedule
Below 5,000	\$29,900

5,000 - 9,999	\$32,600
10,000 - 20,000	\$38,500
20,000 - 49,999	\$41,300

In counties of over fifty thousand population where a full-time state's attorney is required or in counties where the commissioners designate the position full-time the sum of sixty-one thousand nine hundred dollars per year. In counties of less than fifty thousand population the commissioners may designate the position full-time. The decision by the commissioners shall be adopted prior to the first day of January in the year of the election and may not be amended for that term of office. However, if no state's attorney is elected to the office at any general election, the board of county commissioners may contract for such legal services and negotiate the compensation therefor on terms and conditions determined by the board of county commissioners. The board of county commissioners may not decrease the salary of the state's attorney during consecutive terms of office of the state's attorney.

Section 7. That § 7-12-15 be amended to read as follows:

7-12-15. The board of county commissioners shall establish, by resolution, the salary payable to the sheriff. The salary payable may not be less than the following schedule based upon the most recent decennial federal census of population of counties.

County Population	Salary Schedule
Below 10,000	\$33,700
10,000-14,999	\$36,300
15,000-24,999	\$37,451
25,000-69,999	\$41,943
70,000 and over	\$45,550

The board of county commissioners may not decrease the salary of the sheriff during consecutive terms of office of the sheriff. Any sheriff having responsibility for managing a full-time jail shall

receive an additional ten percent added to the base salary listed in this section.

Section 8. That § 7-12-15 be amended to read as follows:

7-12-15. The board of county commissioners shall establish, by resolution, the salary payable to the sheriff. The salary payable may not be less than the following schedule based upon the most recent decennial federal census of population of counties.

County Population	Salary Schedule
Below 10,000	\$35,700
10,000-14,999	\$38,700
15,000-24,999	\$39,900
25,000-69,999	\$44,700
70,000 and over	\$48,600

The board of county commissioners may not decrease the salary of the sheriff during consecutive terms of office of the sheriff. Any sheriff having responsibility for managing a full-time jail shall receive an additional ten percent added to the base salary listed in this section.

Section 9. Sections 1, 3, 5, and 7 of this Act are effective on January 1, 2008. Sections 2, 4, 6, and 8 of this Act are effective on January 1, 2009.

An Act to increase the minimum salary payable to county officials, state's attorneys, and sheriffs.

I certify that the attached Act
originated in the

SENATE as Bill No. 135

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 135

File No. _____

Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock ____ M.

Secretary of State

By _____
Asst. Secretary of State