

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

681T0420

SENATE LOCAL GOVERNMENT

ENGROSSED NO. **SB 75** - 2/8/2012

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Kraus, Maher, Nelson (Tom), and Novstrup (Al) and
Representatives Willadsen and Hunt

1 FOR AN ACT ENTITLED, An Act to revise the determination of fees that may be charged for
2 certain public records.

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

4 Section 1. That § 1-27-1.2 be amended to read as follows:

5 1-27-1.2. If a custodian of a public record of a county, municipality, political subdivision,
6 or tax-supported district provides to a member of the public, upon request, a copy of the public
7 record by transmitting it from a modem to an outside modem, a reasonable fee may be charged
8 for such specialized service. Such fee may include a reasonable amount representing a portion
9 of the amortization of the cost of computer equipment, including software, necessarily added
10 in order to provide such specialized service. This section does not require a governmental entity
11 to acquire computer capability to generate public records in a new or different form if that new
12 form would require additional computer equipment or software not already possessed by the
13 governmental entity.

14 No fee may be charged for any minutes that were recorded in the last three years or for any



- 1 accounting record in its original format. Any confidential information in the accounting record
- 2 related to the payroll shall be redacted or password protected.