

## 2021 South Dakota Legislature

**House Bill 1117****AMENDMENT 1117A FOR THE INTRODUCED BILL**

1 **An Act to revise provisions for public meetings held by teleconference.**

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

3 **Section 1.** That § 1-25-1.1 be AMENDED.

4 **1-25-1.1. Political subdivision--Meeting notice--Agenda--Violation as**  
5 **misdemeanor.**

6 Each political subdivision shall provide public notice, with proposed agenda, that is  
7 visible, readable, and accessible for at least an entire, continuous twenty-four hours  
8 immediately preceding any official meeting, by posting a copy of the notice, visible to the  
9 public, at the principal office of the political subdivision holding the meeting. The proposed  
10 agenda shall include the date, time, and location of the meeting, ~~or~~ and instructions on  
11 how to join the meeting if all members of the public body are participating by  
12 teleconference. The notice and any documents required pursuant to § 1-27-1.16 shall also  
13 be posted on the political subdivision's website upon dissemination of the notice, if a  
14 website exists. For any special or rescheduled meeting, the information in the notice shall  
15 be delivered in person, by mail, by email, or by telephone, to members of the local news  
16 media who have requested notice. For any special or rescheduled meeting, each political  
17 subdivision shall also comply with the public notice provisions of this section for a regular  
18 meeting to the extent that circumstances permit. A violation of this section is a Class 2  
19 misdemeanor.

20 **Section 2.** That § 1-25-1.6 be AMENDED.

21 **1-25-1.6. Teleconference--Public participation.**

22 ~~At any official meeting conducted by teleconference, there shall be provided one~~  
23 ~~or more places at which the public may listen to and participate in the teleconference~~  
24 ~~meeting.~~ For any official meeting held at which all members of the public body are

1 ~~participating~~ by teleconference, ~~that has less than a quorum of the members of the public~~  
2 ~~body participating in the meeting who are present at the location open to the public,~~  
3 arrangements shall be provided for the public to listen to and participate in the meeting  
4 via telephone or internet. The requirement to provide ~~one or more places~~ for the public to  
5 listen and participate to the teleconference does not apply to official meetings closed to  
6 the public pursuant to specific law.

7 **Section 3.** That § 1-25-1.5 be AMENDED.

8 **1-25-1.5. Teleconference meeting or hearing--Quorum--Vote.**

9 Any official meeting may be conducted by teleconference. A teleconference may  
10 be used to conduct a hearing or take final disposition regarding an administrative rule  
11 pursuant to § 1-26-4. A member is deemed present if the member answers present to the  
12 roll call conducted by teleconference for the purpose of determining a quorum. Each vote  
13 at an official meeting held by teleconference shall be taken by roll call.

14 In the event all members of the public body are participating by teleconference, no  
15 member may participate from the same location as any other member.