

2022 South Dakota Legislature

House Bill 1127**AMENDMENT 1127B FOR THE SENATE STATE AFFAIRS
ENGROSSED BILL**

1 **An Act to modify provisions related to county redistricting**~~and to declare an~~
2 **emergency.**

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

4 **Section 1. That § 7-8-10 be AMENDED:**

5 **7-8-10.** The board of county commissioners, at its regular meeting in ~~February~~
6 December of each year ending in the numeral ~~2~~ 1, or within three months of the federal
7 decennial census data becoming available, and after giving notice by publication for one
8 week in the official newspapers of the county, shall change the boundaries of the
9 commissioner districts if ~~such~~ the change is necessary in order that each district ~~shall be~~
10 is as regular and compact in form as practicable ~~and it shall so.~~ The board shall divide and
11 redistrict its county that each district ~~may contain as near as possible an equal number of~~
12 residents complies with the Equal Protection Clause of the Fourteenth Amendment, as
13 determined by the last preceding federal decennial census; or the board may, at ~~its~~
14 discretion that time, choose to have ~~all of its commissioners run~~ elected at large. The
15 board may choose to have its members elected from single-member districts, from multi-
16 member districts, or from a hybrid plan of single- and multi-member districts.

17 **Section 2. That § 7-8-12.3 be AMENDED:**

18 **7-8-12.3.** The board of county commissioners may, within one hundred eighty
19 days of receipt of such written order, redistrict the county's commission districts once to
20 avoid any perceived or potential violation of state or federal law. The commissioners may
21 change the boundaries of the commissioner districts in order that each district ~~shall be~~ is
22 as regular and compact in form as practicable and shall redistrict the county so that each
23 commission district ~~contains an appropriate number of residents~~ complies with the Equal
24 Protection Clause of the Fourteenth Amendment, as determined by the last preceding

1 federal decennial census; or the board of county commissioners may, at its discretion that
2 time, choose to have all of its commissioners ~~run~~ elected at large. The board may choose
3 to have its members elected from single-member districts, from multi-member districts,
4 or from a hybrid plan of single- and multi-member districts. ~~Such redistricting shall~~
5 Redistricting may occur only after giving notice by publication for at least one week in the
6 official newspapers of the county.

7 **Section 3.** ~~Whereas, this Act is necessary for the support of the state government and its~~
8 ~~existing public institutions, an emergency is hereby declared to exist, and this Act shall be in~~
9 ~~full force and effect from and after its passage and approval.~~