

## 2023 South Dakota Legislature

**House Bill 1057****AMENDMENT 1057B FOR THE INTRODUCED BILL**

1 **An Act to allow for the appointment of county coroner by all counties.**

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

3 **Section 1. That § 7-7-1 be AMENDED:**

4 **7-7-1.** Except when otherwise expressly provided, the regular term of office for ~~all~~  
5 a county officer, when elected for a full term, shall commence on the first Monday  
6 in January next succeeding ~~their~~ the election, except the office of county auditor, the term  
7 of which shall begin on the first Monday of March next succeeding ~~his~~ the election. If the  
8 office to which any officer was elected be vacant at the time of ~~his~~ the election, or becomes  
9 vacant after ~~such~~ the election, even if ~~he~~ the officer was not elected to fill a vacancy, ~~he~~  
10 the officer shall forthwith qualify and enter upon the duties of his office.

11 The board of county commissioners shall make an appointment to fill a vacancy in  
12 a county office for the remainder of the term by majority vote, pursuant to §§ 3-4-3 to 3-  
13 4-7, inclusive.

14 **Section 2. That § 7-7-1.4 be AMENDED:**

15 **7-7-1.4.** Notwithstanding the provisions of § 7-7-1.1, the board of county  
16 commissioners in any county ~~with a population of sixty thousand or more~~ may, by  
17 resolution, ~~appoint~~ submit the question of the appointment of a coroner by the county  
18 commission to the voters in the same manner as prescribed in chapter 7-6 who shall serve  
19 at the pleasure of such board. However, no ~~If the question to approve the county~~  
20 commission to appoint the coroner in place of an election is approved by the voters, the  
21 board of county commissioners may ~~exercise the authority granted pursuant to this~~  
22 section unless:

23 ~~(1) Not later than the April first preceding the election for coroner, the board, by~~  
24 resolution, adopts the appointment option; and

- 1 ~~(2) — The appointment of any appointed coroner may not take effect —~~ not appoint a  
2 coroner until the expiration of the term of office of any duly elected coroner.

AMENDMENT