

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

165U0495

HOUSE BILL NO. 1224

Introduced by: Representatives Westra, Conzet, Dryden, Duvall, Gosch, Mickelson, Miller, Verchio, and Wick and Senators Lederman, Heineman (Phyllis), Kirkeby, Rave, and Tidemann

1 FOR AN ACT ENTITLED, An Act to allow municipalities, counties, and school districts to
2 post certain information on the internet in addition to or in lieu of certain publication
3 requirements.

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

5 Section 1. Any municipality, county, or school district may annually designate an official
6 internet website. The governing body shall notify the Bureau of Information and
7 Telecommunications of the designation. The bureau shall maintain a listing of each website
8 designated and provide a link to each official website on the website maintained by the state
9 pursuant to § 1-27-45.

10 Section 2. If a municipality, county, or school district designates an official internet website
11 pursuant to this Act, there shall be at least one library or other location within its jurisdiction
12 that is open at no cost to the public with internet access to the official website.

13 Section 3. If the publication of any notice, minutes, bid, document, or other information is
14 required by law, any municipality, county, or school district that has designated an official



internet website pursuant to this Act, may in addition to the publication, or in lieu of the publication, post the information to the official website. If posted to the official website, the information shall remain posted and visible to the public for the amount of time the information is required to be kept as provided by the applicable records management program established pursuant to chapter 1-27.

Section 4. If any municipality, county, or school district substitutes publication by posting to the official website pursuant to this Act, the governing body shall:

(1) Maintain and keep, for the same amount of time as provided by the applicable records management program established pursuant to chapter 1-27, a digital or paper copy of the internet posting along with a statement, under oath, setting forth the dates of the posting;

(2) Publish in the official newspaper, at least twice per year with no less than six months between publications, a notice specifying where any notice, minutes, bid, document, or other information may be found and alternative methods by which the information may be obtained; and

(3) Allow residents of the municipality, county, or school district to request that a copy of the required information be provided to the resident by mail or electronic communication. The governing body shall also allow residents to register to receive copies of the information on an ongoing basis by mail or electronic communication.

The copies shall be provided at the expense of the governing body.

Section 5. Each municipality, county, or school district shall provide a copy of each document required to be published by law to the official newspaper, and shall make the document available for public inspection at its business office.