

2024 South Dakota Legislature

Senate Bill 5**AMENDMENT 5A
FOR THE INTRODUCED BILL**

1 **An Act to reduce the amount of time required before the removal of a city manager**
2 **is effective.**

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

4 **Section 1. That § 9-10-11 be AMENDED:**

5 **9-10-11.** The governing body shall appoint the city manager ~~shall be appointed~~
6 for an indefinite term but may ~~be removed~~ suspend the manager by resolution of intent
7 to remove the manager approved by a majority vote of the members of the governing
8 body. ~~At least thirty-fourteen days before such the removal may become effective, the~~
9 ~~manager shall be furnished with governing body shall present a formal statement in the~~
10 ~~form of a resolution passed by a majority vote of such the governing body to the manager~~
11 ~~stating the intention of such the governing body to remove him the manager, and the~~
12 ~~reasons therefor. He~~ The resolution of intent to remove the manager must set forth the
13 reasons for the suspension and proposed removal, and a copy of the resolution must be
14 served immediately upon the manager. The manager may reply in writing to ~~such the~~
15 resolution and may request a public hearing within fifteen days of being served the
16 resolution. If ~~so~~ a public hearing is requested by the manager, the governing body ~~shall~~
17 must fix set a time for ~~a the~~ public hearing upon the question of ~~his the manager's~~ removal,
18 and the final resolution removing ~~him shall~~ the manager may not be adopted until ~~such~~
19 the public hearing has been had occurred.

20 ~~Upon passage of a resolution stating the governing body's intention to remove the~~
21 ~~manager, such the governing body may suspend him the manager from duty, but his the~~
22 The manager's pay shall must continue until ~~his the manager's~~ removal ~~shall become is~~
23 effective as ~~herein provided by this section.~~ The action of the governing body in removing
24 the manager ~~shall be is~~ final.