



2024 South Dakota Legislature

Senate Bill 5

SENATE LOCAL GOVERNMENT ENGROSSED

Introduced by: **Senator Rohl**

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 days before such removal may become effective, the manager shall~~
 9 ~~be furnished with a formal statement in the form of a resolution passed by a majority vote~~
 10 ~~of such governing body stating the intention of such governing body to remove him, and~~
 11 ~~the reasons therefor. He~~ The resolution of intent to remove the manager must set forth
 12 the reasons for the suspension and proposed removal, and a copy of the resolution must
 13 be served immediately upon the manager. The manager may reply in writing to such the
 14 resolution and may request a public hearing within fifteen days of being served the
 15 resolution. ~~If so a public hearing is requested by the manager, the governing body shall~~
 16 must fix set a time for a the public hearing upon the question of his the manager's removal,
 17 and the final resolution removing him shall the manager may not be adopted until such
 18 the public hearing has been had occurred.

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