



2026 South Dakota Legislature

House Bill 1091

Introduced by: **Representative** Fitzgerald

1 **An Act to require that corrected information be posted at least twenty-four hours**
2 **prior to a meeting of a political subdivision.**

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

4 **Section 1. That § 1-25-1.1 be AMENDED:**

5 **1-25-1.1.** Each political subdivision shall provide public notice, ~~with proposed~~
6 ~~agenda, that is visible, readable, and accessible of a scheduled meeting by posting,~~ for at
7 least an entire, continuous twenty-four hours immediately preceding any official meeting,
8 ~~by posting a copy of the notice, visible to the public, a visible, readable, and accessible~~
9 ~~copy of the proposed agenda, and any financial report to be voted upon,~~ at the principal
10 office of the political subdivision holding the meeting and on the political subdivision's
11 website, if a website exists. The proposed agenda ~~shall~~ must include the date, time, and
12 location of the meeting. ~~The notice shall also be posted on the political subdivision's~~
13 ~~website upon dissemination of the notice, if a website exists.~~

14 If the posted proposed agenda, any attachment to the proposed agenda, or any
15 financial report to be voted upon contains a material error, an updated document
16 containing corrected information must be posted at the principal office and on any existing
17 website of the political subdivision at least twenty-four hours prior to the start of the
18 meeting.

19 For any special or rescheduled meeting, the information in the notice ~~shall~~ must be
20 delivered in person, or by mail, ~~by~~ email, ~~or by~~ telephone, to members of the local news
21 media who have requested notice. ~~For any special or rescheduled meeting. If~~
22 circumstances permit for a special or rescheduled meeting, each political subdivision ~~shall~~
23 must also comply with the public notice provisions of this section for a regular meeting ~~to~~
24 ~~the extent that circumstances permit.~~

25 A violation of this section is a Class 2 misdemeanor.

1 For purposes of this section, "material error" means an error that is reasonably
2 likely to mislead the public as to the date, time, location, subject matter, or intended
3 action of the meeting or the content of any attachment or financial report to be voted
4 upon.