

2026 South Dakota Legislature

House Bill 1091

AMENDMENT 1091A FOR THE INTRODUCED BILL

1 **An Act to require that an agenda and certain attachments be posted at least**
2 **seventy-two hours prior to a regular meeting of a political subdivision, that**
3 **corrected information be posted at least twenty-four hours prior to a meeting**
4 **of a political subdivision, and that the agenda and attachments be posted as**
5 **soon as possible prior to any special or rescheduled meeting.**

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

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

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

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

23 For any special or rescheduled meeting, the information in the notice ~~shall~~ must be
24 ~~delivered:~~

25 (1) Delivered in person, ~~or~~ by mail, ~~by~~ by email, or ~~by~~ by telephone, to members of
26 the local news media who have requested notice. ~~For any special or rescheduled~~

1 meeting ~~If circumstances permit for a special or rescheduled meeting, each political~~
2 ~~subdivision shall~~ ~~must~~ ~~also~~ ~~comply~~ ~~with the public notice provisions of this section~~
3 ~~for a regular meeting to the extent that circumstances permit; and~~

4 (2) Posted on the political subdivision's website, if a website exists, as soon as the
5 special or rescheduled meeting is set.

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

7 For purposes of this section, "material error" means an error that is reasonably
8 likely to mislead the public as to the date, time, location, subject matter, or intended
9 action of the meeting or the content of any attachment or financial document, report, or
10 other attachment to be discussed, reviewed, or voted upon.