

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

587Y0296

HOUSE BILL NO. 1167

Introduced by: Representatives Jamison, Beal, Goodwin, Haggar, Marty, Peterson (Sue), and Willadsen and Senators Langer and Peters

1 FOR AN ACT ENTITLED, An Act to allow first class municipalities to post certain
2 information on the internet in addition to or in lieu of certain publication requirements.

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

4 Section 1. That the code be amended by adding a NEW SECTION to read:

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

9 Section 2. That the code be amended by adding a NEW SECTION to read:

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

13 Section 3. That the code be amended by adding a NEW SECTION to read:

14 If the publication of any notice, minutes, bid, document, or other information is required by
15 law, any first class municipality that has designated an official internet website pursuant to this



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

5 Section 4. That the code be amended by adding a NEW SECTION to read:

6 If any first class municipality substitutes publication by posting to the official website
7 pursuant to this Act, the governing body shall:

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

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

16 (3) Allow residents of the municipality to request that a copy of the required information
17 be provided to the resident by mail or electronic communication. The governing body
18 shall also allow residents to register to receive copies of the information on an
19 ongoing basis by mail or electronic communication. The copies shall be provided at
20 the expense of the governing body.

21 Section 5. That the code be amended by adding a NEW SECTION to read:

22 Each first class municipality shall provide a copy of each document required to be published
23 by law to the official newspaper and shall make the document available for public inspection
24 at its business office.