



## 2020 South Dakota Legislature

# Senate Bill 91

Introduced by: **Senator Russell**

1 **An Act to revise provisions regarding the salary for state's attorneys.**

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

3 **Section 1.** That § 7-7-12 be AMENDED:

4 **7-7-12. Salary for state's attorney--Contract for services when no attorney**  
 5 **elected--Salary not to be decreased during term of office.**

6 The board of county commissioners shall establish, by resolution, the salary  
 7 payable to the state's attorney. The salary payable may not be less than the following  
 8 schedule as based upon the most recent decennial federal census of population for  
 9 counties:

10 County Population	Salary Schedule
11 Below 5,000	\$34,554
12 5,000 - 9,999	\$37,673
13 10,000 - 20,000	\$44,492
14 20,000 - 49,999	\$47,728

15 In counties of over fifty thousand population where a full-time state's attorney is  
 16 required or in counties where the commissioners designate the position full-time the sum  
 17 of seventy-one thousand five hundred thirty-four dollars per year. In counties of less than  
 18 fifty thousand population the commissioners may designate the position full-time. The  
 19 decision by the commissioners shall be adopted prior to the first day of January in the  
 20 year of the election and ~~may not only~~ be amended for that term of office with the consent  
 21 of both the state's attorney and the commissioners. ~~However, if~~ If no state's attorney is  
 22 elected to the office at any general election, the board of county commissioners may  
 23 contract for such legal services and negotiate the compensation therefor on terms and  
 24 conditions determined by the board of county commissioners. The board of county

1 commissioners may not decrease the salary of the state's attorney during consecutive  
2 terms of office of the state's attorney.