

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

882A0124

SENATE BILL NO. 11

Introduced by: Senators Shoener and Halverson and Representative Cerny at the request of the
Interim Rules Review Committee

1 FOR AN ACT ENTITLED, An Act to require the filing of copies of documents regarding
2 certain administrative procedures with the Legislative Research Council.

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

4 Section 1. That § 1-26-7.1 be amended to read as follows:

5 1-26-7.1. Upon adoption of a rule or upon the rejection of a petition filed pursuant to
6 § 1-26-13, an agency, if requested to do so in writing by an interested person either prior to
7 adoption or rejection or within thirty days thereafter, shall issue a written concise statement of
8 the principal reasons for and against the rule's adoption, incorporating therein its reasons for
9 overruling the considerations urged against the rule's adoption or rejection. A copy of the
10 statement shall be served ~~upon~~ on the members of the ~~interim rules review committee~~ Interim
11 Rules Review Committee and the director of the Legislative Research Council.

12 Section 2. That § 1-26-13 be amended to read as follows:

13 1-26-13. An interested person may petition an agency requesting the promulgation,
14 amendment, or repeal of a rule. The petition shall contain the text or substance of any new rule
15 or amendment sought, the identification of any rule sought to be repealed, reasons for the

1 proposal, and the name and address of the petitioner. Within thirty days after submission of a
2 petition, the agency either shall deny the petition in writing (stating its reasons for the denials)
3 or shall initiate rule-making proceedings in accordance with § 1-26-4. The agency shall serve a
4 copy of any petitions and denials on the members of the ~~interim rules committee~~ Interim Rules
5 Review Committee and the director of the Legislative Research Council.