

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

663A0556

## SENATE BILL NO. 141

Introduced by: Senators Vitter, Lange, and Shoener and Representatives Barker, Jorgensen,  
and Pummel

1 FOR AN ACT ENTITLED, An Act to revise the recall provisions for elected municipal officials.

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

3 Section 1. That § 9-13-30 be amended to read as follows:

4 9-13-30. A petition signed by fifteen percent of the registered voters of the first or second  
5 class municipality, based upon the total number of registered voters at the last preceding general  
6 election, demanding the election of a successor to the mayor, commissioner, or alderman sought  
7 to be removed shall be filed with the auditor and presented by the auditor to the governing body.

8 The allowable grounds for removal are misconduct, malfeasance, nonfeasance, crimes in office,  
9 drunkenness, gross incompetency, corruption, theft, oppression, or gross partiality. The petition

10 shall contain a specific statement of the grounds on which removal is sought. The form for the

11 municipal recall petition shall be prescribed by the state Board of Elections pursuant to chapter

12 1-26. No signature on a petition is valid if signed more than ~~six months~~ sixty days prior to the

13 filing of the petitions.