

## 2023 South Dakota Legislature

**Senate Bill 56****AMENDMENT 56A FOR THE INTRODUCED BILL**

1 **An Act to revise requirements to relocate a county seat.**

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

3 **Section 1. That § 7-6-4 be AMENDED:**

4 **7-6-4.** ~~If fifteen~~To relocate a county seat, a petition signed by~~forty twenty~~ percent  
5 of the registered voters of the county, based upon the total number of registered voters  
6 at the last preceding general election, ~~of any organized county petition the board of~~ must  
7 be filed with the county commissioners to change the location of the county seat which  
8 has once been located by majority vote, specifying the place to which it is to be changed,  
9 auditor on or before July first. The county auditor shall, within thirty days of receiving the  
10 petition, verify that the signatures on the petition are registered voters of the county. A  
11 signature on a petition is invalid if signed more than six months before the date the petition  
12 is filed.

13 If the county auditor verifies that the petition meets the requirements of this  
14 section and section 2 of this Act, the board of county commissioners shall submit the same  
15 question of relocating the county seat to the people of the county at the next general  
16 election. Notice

17 The county auditor shall publish notice of the submission of the question~~shall be~~  
18 included in the notice published once by the county auditor giving notice of the time and  
19 place of holding with the general election notices required by § 12-12-1.

20 **Section 2. That chapter 7-6 be amended with a NEW SECTION:**

21 The petition required to relocate a county seat under § 7-6-4 must contain:

22 (1) The municipality proposed for relocation; and

23 (2) A statement that addresses the:

24 (a) Proposed timeline for relocation; and

1           (b) Estimated cost to the county for relocating county buildings, facilities, and  
2           employees, that are required by law to be at the county seat.

3   **Section 3. That § 7-6-5 be AMENDED:**

4           **7-6-5.** The board of county commissioners shall prescribe the form of the ballots  
5           to be used at said the election for the change of relocating the county seat shall be in such  
6           form as the board of county commissioners shall prescribe, and such. The ballots shall  
7           must be separate from the ballots cast and used for the election of state, county, and  
8           other officers and shall must be received and deposited in a separate ballot box. If the  
9           proposition question to change relocate the county seat is ratified approved by two-thirds  
10           three-fourths of the votes cast, then the municipality specified in the petition shall be the  
11           county seat. The votes cast shall must be returned, canvassed, and certified as provided  
12           by law for the return of votes at any the general election.

13   **Section 4. That § 7-6-6 be AMENDED:**

14           **7-6-6.** If, upon a canvass of the votes cast as provided in § 7-6-5 any municipality  
15           shall not have received the vote as required by the Constitution, the question of the  
16           change of the location of relocating the county seat shall is not approved by three-fourths  
17           of the votes cast, the question may not again be submitted before the expiration of for  
18           four years from the date of the election.

19   **Section 5. That § 7-6-7 be AMENDED:**

20           **7-6-7.** It shall be the duty of the If the question to relocate the county seat is  
21           approved by the voters as specified in § 7-6-5, the county officers whose offices are  
22           required by law to be kept at the county seat, to shall remove their respective offices,  
23           files, records, office fixtures, furniture, and all other property pertaining to their offices to  
24           the county seat designated by the voters within thirty days one year after such county  
25           seat shall have been designated by the voters under the provisions of the date of an  
26           election held under this chapter or the end of any recount, certiorari proceeding, or  
27           election contest, whichever is latest.