

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

447H0381

## HOUSE LOCAL GOVERNMENT COMMITTEE ENGROSSED NO. **HB 1176** - 01/29/2002

Introduced by: Representatives Hunhoff and Gillespie and Senators Vitter and Reedy

1 FOR AN ACT ENTITLED, An Act to revise the time permitted to qualify for a municipally  
2 elected office.

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

4 Section 1. That § 9-13-28 be amended to read as follows:

5 9-13-28. The auditor or clerk, within two days after the result of the election is declared,  
6 shall notify ~~all persons~~ each person elected to office of ~~their~~ the person's election. ~~Unless such~~  
7 ~~persons shall~~ If a person does not qualify in within ten days after ~~such notice~~ the first meeting  
8 next succeeding the election, the office shall become vacant.

9 Section 2. That § 9-14-5 be amended to read as follows:

10 9-14-5. Each appointive municipal officer shall begin discharging the duties of the office as  
11 soon as the officer has qualified and shall hold office until the appointment and qualification of  
12 a successor.

13 Each elective municipal officer, if elected to fill a vacancy, shall begin discharging the duties  
14 of the office as soon as the officer has qualified. Except as otherwise provided, ~~every~~ each  
15 officer, if elected for a full term, shall begin discharging the duties of the office on the first



1 ~~Monday of May meeting of the month next succeeding the election or as soon thereafter as the~~  
2 ~~officer has qualified. If the election is held on the first or third Tuesday in June the officer shall~~  
3 ~~enter upon the discharge of duties on the first Monday in July next succeeding the election or as~~  
4 ~~soon as the officer is qualified.~~