

## 2023 South Dakota Legislature

**Senate Bill 56****AMENDMENT 56C 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 percent of the  
5 registered voters of the county, based upon the total number of registered voters at the  
6 last preceding general election, ~~of any organized county petition the board of~~ must be filed  
7 with the county commissioners to change the location of the county seat which has once  
8 been located by majority vote, specifying the place to which it is to be changed, auditor  
9 on or before July first. The county auditor shall, within thirty days of receiving the petition,  
10 verify that the signatures on the petition are registered voters of the county. A signature  
11 on a petition is invalid if signed more than six months before the date the petition is filed.

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

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

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

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

21 (1) The municipality proposed for relocation; and

22 (2) A statement that addresses the:

23 (a) Proposed timeline for relocation; and

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

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

2 **7-6-5.** ~~The board of county commissioners shall prescribe the form of the ballots~~  
3 ~~to be used at said the election for the change of relocating the county seat shall be in such~~  
4 ~~form as the board of county commissioners shall prescribe, and such. The~~ ballots shall  
5 must be separate from the ballots cast and used for the election of state, county, and  
6 other officers and ~~shall~~ must be received and deposited in a separate ballot box. If the  
7 ~~proposition question to change relocate~~ the county seat is ~~ratified~~ approved by ~~two-thirds~~  
8 ~~three-fourths~~ of the votes cast, ~~then~~ the municipality specified in the petition shall be the  
9 county seat. The votes cast ~~shall~~ must be returned, canvassed, and certified as provided  
10 by law for the return of votes at ~~any~~ the general election.

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

12 **7-6-6.** If, upon a canvass of the votes cast as provided in § 7-6-5 ~~any municipality~~  
13 ~~shall not have received the vote as required by the Constitution,~~ the question of the  
14 change of the location of relocating the county seat ~~shall~~ is not approved by ~~three-fourths~~  
15 ~~two-thirds~~ of the votes cast, the question may not again be submitted before the  
16 expiration of for four years from the date of the election.

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

18 **7-6-7.** ~~It shall be the duty of the~~ If the question to relocate the county seat is  
19 approved by the voters as specified in § 7-6-5, the county officers whose offices are  
20 required by law to be kept at the county seat, ~~to~~ shall remove their respective offices,  
21 files, records, office fixtures, furniture, and all other property pertaining to their offices to  
22 the county seat designated by the voters within ~~thirty days~~ one year after ~~such county~~  
23 ~~seat shall have been designated by the voters under the provisions of the date of an~~  
24 election held under this chapter or the end of any recount, certiorari proceeding, or  
25 election contest, whichever is latest.