

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

924W0443

HOUSE BILL NO. 1167

Introduced by: Representatives Westra, Brunner, Conzet, Dryden, Duvall, Gosch, Haggar (Don), Hunt, Langer, Partridge, Verchio, and Willadsen and Senators Rave, Heineman (Phyllis), Jensen (Phil), Lederman, Peters, Tidemann, and Tieszen

1 FOR AN ACT ENTITLED, An Act to authorize municipalities, counties, and school districts
2 to post certain information on the internet in addition to or in lieu of certain publication
3 requirements.

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

5 Section 1. Any municipality, county, or school district may annually designate an official
6 internet website. The governing body shall notify the Bureau of Information and
7 Telecommunications of the designation. The bureau shall maintain a listing of each website
8 designated and provide a link to each official website on the website maintained by the state
9 pursuant to § 1-27-45.

10 Section 2. If a municipality, county, or school district designates an official internet website
11 pursuant to this Act, there shall be at least one library or other location within its jurisdiction
12 that is open at no cost to the public with internet access to the official website.

13 Section 3. If the publication of any notice, minutes, bid, document, or other information is
14 required by law, any municipality, county, or school district that has designated an official



1 internet website pursuant to this Act, may in addition to the publication, or in lieu of the
2 publication, post the information to the official website. If posted to the official website, the
3 information shall remain posted and visible to the public for the amount of time the information
4 is required to be kept as provided by the applicable records management program established
5 pursuant to chapter 1-27.

6 Section 4. If any municipality, county, or school district substitutes publication by posting
7 to the official website pursuant to this Act, the governing body shall:

8 (1) Maintain and keep, for the same amount of time as provided by the applicable
9 records management program established pursuant to chapter 1-27, a digital or paper
10 copy of the internet posting along with a statement, under oath, setting forth the dates
11 of the posting;

12 (2) Publish in the official newspaper, at least twice per year with no less than four
13 months between publications, a notice specifying where any notice, minutes, bid,
14 document, or other information may be found and alternative methods by which the
15 information may be obtained; and

16 (3) Allow residents of the municipality, county, or school district to request that a copy
17 of the required information be provided to the resident by mail or electronic
18 communication. The governing body shall also allow residents to register to receive
19 copies of the information on an ongoing basis by mail or electronic communication.

20 The copies shall be provided at the expense of the governing body.

21 Section 5. Each municipality, county, or school district shall provide a copy of each
22 document required to be published by law to the official newspaper, and shall make the
23 document available for public inspection at its business office.