

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

927B0666

SENATE BILL NO. 108

Introduced by: Senator Nelson

1 FOR AN ACT ENTITLED, An Act to require certain legislative meetings to be open to the
2 public.

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

4 Section 1. That chapter 1-25 be amended by adding a NEW SECTION to read:

5 Any gathering of a simple majority of either the South Dakota House of Representatives or
6 the South Dakota Senate, meeting to discuss introduced legislation, shall be open to the public.

7 If a complaint alleging a violation of chapter 1-25 is made pursuant to § 23A-2-1, the
8 attorney general shall take one of the following actions:

9 (1) Prosecute the case under title 23A;

10 (2) Determine that there is no merit to prosecuting the case. Upon doing so, the attorney
11 general shall retain a copy of the complaint and any investigation file and shall use
12 the information for statistical purposes and may publish abstracts of the information;

13 or

14 (3) Send the complaint and any investigation file to the South Dakota Open Meetings
15 Commission for further action.

