

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

915P0660

## SENATE BILL NO. 199

Introduced by: Senators Hansen (Tom), Albers, Bartling, Greenfield, Hanson (Gary), Maher, McNenny, Peterson (Jim), Schmidt (Dennis), Smidt (Orville), and Two Bulls and Representatives Rausch, Boomgarden, Burg, Davis, Dennert, Elliott, Faehn, Gassman, Halverson, Haverly, Kirkeby, Koistinen, Krebs, Lucas, Miles, Nelson, Noem, Putnam, Rhoden, Rounds, Street, Tidemann, Weems, Wick, and Willadsen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning public meetings.

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

3 Section 1. That § 1-25-1 be amended to read as follows:

4 1-25-1. Except as otherwise provided by law, the official meetings of the state and the  
5 political subdivisions thereof, including all related boards, commissions and other agencies, and  
6 the official meetings of boards, commissions and agencies created by statute or which are  
7 nontaxpaying and derive a source of revenue directly from public funds, shall be open to the  
8 public, except as provided in this chapter. It does not constitute an official meeting if members  
9 of a political subdivision of this state are attending a meeting of the state or one of its political  
10 subdivisions, a board, a commission, an association, an agency, or any other public entity for  
11 which public notice is provided pursuant to § 1-25-1.1 for the purpose of providing information  
12 or observing, and the notice requirements in § 1-25-1.1 do not apply. Meetings, including  
13 executive or closed meetings may be conducted by teleconference. Members shall be deemed



1 present if they answer present to the roll call taken by teleconference. Any vote at a meeting held  
2 by teleconference shall be taken by roll call. Except for executive or closed meetings held by  
3 teleconference, there shall be provided one or more places at which the public may listen to and  
4 participate in the proceeding. Except for executive or closed meetings held by teleconference  
5 of related boards and commissions of the state, there shall be provided two or more places at  
6 which the public may listen to and participate in the proceeding. Except for the Digital Dakota  
7 Network, no teleconference may be used in conducting hearings or taking final disposition  
8 pursuant to § 1-26-4. Teleconference meetings are subject to the notice provisions of chapter  
9 1-25.

10 A violation of this section is a Class 2 misdemeanor.