

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

486X0276

HOUSE BILL NO. 1103

Introduced by: Representatives Brunner and Soli and Senators Olson and Heinert

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the qualification
2 process for municipal office.

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

4 Section 1. That § 9-14-5 be amended to read:

5 9-14-5. Each appointive municipal officer shall begin discharging the duties of the office
6 as soon as the officer has qualified ~~and~~ by filing an oath or affirmation of office in the usual
7 form provided by law. The officer shall file the form within ten days after the first meeting of
8 the month following the appointment. The officer shall hold office until the appointment and
9 qualification of a successor.

10 Each elective municipal officer, if elected to fill a vacancy, shall begin discharging the duties
11 of the office as soon as the officer has qualified by filing an oath or affirmation of office in the
12 usual form provided by law. The officer shall file the form within ten days after the first meeting
13 of the month following the election. Except as otherwise provided, each officer, if elected for
14 a full term, shall begin discharging the duties of the office on the first meeting of the month next
15 succeeding the election or as soon thereafter as the officer has qualified.



1 Section 2. That § 9-14-7 be amended to read:

2 9-14-7. In third class municipalities the clerk, director of equalization, treasurer, and
3 marshal, ~~within ten days after notice of their~~ within ten days after the first meeting of the month
4 following the election or appointment, shall take and subscribe an oath or affirmation of office
5 in the form required by the Constitution and furnish an undertaking to be approved by the Board
6 of Trustees in such sum as it shall direct.

7 Section 3. That § 9-14-10 be amended to read:

8 9-14-10. The removal of any municipal officer from the ward or municipality for which ~~he~~
9 the officer was elected or appointed, or ~~his~~ the officer's failure, ~~for ten days after notice of his~~
10 within ten days after the first meeting of the month following the election or appointment, to
11 qualify and ~~enter upon~~ begin the duties of ~~his~~ office, ~~shall cause~~ causes a vacancy ~~therein~~ in the
12 office.