



2025 South Dakota Legislature

Senate Bill 84

Introduced by: **Senator Nelson**

1 **An Act to to extend the timeframe for filling a vacancy in a board of county**
2 **commissioners.**

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

4 **Section 1. That § 3-4-4 be AMENDED:**

5 **3-4-4.** When a vacancy occurs in the board of county commissioners, ~~it shall be~~
6 ~~the duty of the remaining member or members of such board to appoint immediately~~
7 ~~some~~ the remaining board members must appoint a suitable person to fill ~~such the~~ vacancy
8 from the district where the vacancy occurs. The board has thirty-five days to fill the
9 vacancy or until the conclusion of the second regular meeting after the vacancy occurs,
10 whichever is later. If there ~~be~~ is an even number of county commissioners remaining on
11 the board ~~of county commissioners~~, the county auditor ~~shall be called in and shall~~ must
12 act as a member of ~~such the~~ board to fill ~~such the~~ vacancy.