

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

819W0617

HOUSE BILL NO. 1154

Introduced by: Representative Novstrup (Al) and Senator Hunhoff (Bernie)

1 FOR AN ACT ENTITLED, An Act to limit the amount that may be charged for certain
2 document requests.

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

4 Section 1. That § 1-27-35 be amended to read as follows:

5 1-27-35. Any informal request for disclosure of documents or records shall be made to the
6 custodian of the record. The custodian of the record may then provide the requestor with the
7 document or record upon payment of the actual cost of mailing or transmittal, the actual cost
8 of reproduction, or other fee established by statute or administrative rule. A requestor that makes
9 an informal request requiring the dedication of staff time in excess of one hour may be required
10 to pay the cost of for the staff time necessary for the location, assembly, or reproduction of the
11 public record. However, no such charge may exceed twenty-five dollars per hour. If any records
12 are required or permitted to be made public upon request and no other rate is prescribed for
13 reproduction or retrieval of such records, the Bureau of Administration shall establish, by rules
14 promulgated pursuant to chapter 1-26, the maximum rate, or the formula for calculating rates,
15 for reproduction and retrieval.

