

Temporary Replacement of Certain Elected Officials Called for Active Duty in the Armed Forces

This Act enables local governments and school districts to appoint temporary replacements for elected officials who are in the National Guard or the Reserves and who are called to active duty.

Submitted as:

South Dakota

SB57

Status: Enacted into law in 2003.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act may be cited as “An Act to Provide for the Temporary
2 Replacement of Certain Elected Officials Called for Active Duty in the Armed Forces.”

3
4 Section 2. [*Temporary Resignation/Replacement of Elected Officials.*] If any member of
5 a governing body of a county, municipality, school district, township, or special purpose district,
6 who is also a member of the [insert state] National Guard or another reserve component of the
7 armed forces of the United States, is called into active duty which causes the member to be
8 unable to attend meetings of the governing body, the member may elect to temporarily resign
9 from the governing body. Notice of temporary resignation may be given in the same manner as
10 giving notice of resignation from such governing body. A temporary replacement may be made
11 in accordance with the provisions of statute applying to the governing body. The temporary
12 member shall serve until the member returns from active duty or until the expiration of the
13 member's term, whichever occurs first.

14
15 Section 3. [*Severability.*] [Insert severability clause.]

16
17 Section 4. [*Repealer.*] [Insert repealer clause.]

18
19 Section 5. [*Effective Date.*] [Insert effective date.]