



**Joint Committee on Appropriations**  
REPRESENTATIVE MIKE DERBY, CO-CHAIR  
SENATOR JEAN HUNHOFF, CO-CHAIR

March 25, 2024  
Marty Jackley, Attorney General  
Office of the Attorney General  
1032 East Highway 14, Suite 1  
Pierre, SD 57501

### **Letter of Intent Regarding the Cybersecurity Services Initiative for Counties and Municipalities**

Dear Attorney General Jackley,

This Letter of Intent sets forth a particular view held by the Joint Committee on Appropriations (JCA) in approving your appropriation during the 2024 Legislative session, supplementing that legislation with specific policy guidance as approved on March 25, 2024.

While the guidance does not have the direct force of statutory law, it rests solidly on a long-standing tradition of Legislative-Executive relationships in South Dakota, and it will be used by the JCA as one basis for the fiscal oversight of your agency and its continued funding.

During the 2024 Legislative session, the Legislature approved SB 187, which makes an appropriation of \$7 million in general fund moneys to establish a cybersecurity services initiative for counties and municipalities. The moneys may only be used to expand and improve cybersecurity for counties and municipalities in South Dakota, specifically the implementation of secure email servers and remediation activities based on the results of Project Boundary Fence assessments, and necessary administrative costs. Moneys must be disbursed according to the specific needs of each project to advance cybersecurity best practices for counties and municipalities.

The JCA requests this cybersecurity services initiative be managed through the existing Project Boundary Fence partnership between the Attorney General and Dakota State University. Any such services through this initiative are available only while funding via this special appropriation remains, after which time the counties and municipalities utilizing the services are expected to cover ongoing costs.

The JCA also requests the Attorney General submit a report by November 1 each year until the special appropriation has been fully expended and present the first report at the JCA's upcoming November meeting. The report should describe:

- 1) the counties and municipalities participating or planning to participate in this initiative;
- 2) completed and planned cybersecurity improvements for each participating local government;
- 3) current and expected expenses for each improvement, including both the cost paid from the SB 187 special appropriation and the future ongoing cost to be paid by the local government; and
- 4) expected timeframes for completing the improvements.

2024 Legislative Session Letter of Intent - ATG

March 25, 2024

Page 2

Thank you for your cooperation.

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Representative Mike Derby  
Lead Co-Chair, Joint Committee on Appropriations

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Senator Jean Hunhoff  
Co-Chair, Joint Committee on Appropriations

cc: Russell Olson, Auditor General  
Jim Terwilliger, Commissioner, Bureau of Finance and Management  
Ashley Podhradsky, VP for Research & Economic Development, Dakota State University