



2026 South Dakota Legislature

House Bill 1226

Introduced by: **Representative** Gosch

1 **An Act to authorize boards of county commissioners to adopt policies for**
 2 **investigating allegations of misconduct of county departments, employees,**
 3 **and officers.**

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

5 **Section 1. That a NEW SECTION be added to chapter 7-8:**

6 A board of county commissioners may adopt investigatory and oversight policies
 7 related to any department, employee, or officer of the county. If the board adopts a policy
 8 pursuant to this section, the policy must:

- 9 (1) Establish procedures for investigating county employees and officers alleged to
 10 have committed or engaged in abuse of authority, chronic absenteeism, conflicts
 11 of interest, insubordination, neglect of duties, nepotism, or any of the conduct
 12 constituting grounds for removal of an officer pursuant to § 3-17-6;
 13 (2) Designate which employees, officers, and third persons may conduct investigations
 14 under the policy, and require that at least one investigator is from outside the
 15 department that is the subject of the complaint;
 16 (3) Provide standards for confidentiality and due process; and
 17 (4) Comply with the process set forth in §§ 3-17-6 to 3-17-11, inclusive.