



2026 South Dakota Legislature
House Bill 1175
ENROLLED

AN ACT

ENTITLED An Act to revise provisions related to Division of Criminal Investigation cooperation with Indian tribes.

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

Section 1. That § 23-3-15.1 be AMENDED:

23-3-15.1. The Division of Criminal Investigation may, upon the request of any Indian tribe, obtain national criminal history record information on any individual seeking to be or currently serving:

- (1) As a member of the tribal council or a district council;
- (2) As judge of the tribal court;
- (3) On a tribal board or commission;
- (4) As a tribal conservation officer;
- (5) As an executive officer of a tribal commercial enterprise;
- (6) As a faculty member or administrator of any tribal educational institution or program;
- (7) With tribal child protection and youth program responsibilities, to the extent that the criminal history record information is not available through the Bureau of Indian Affairs by means of the Indian Child Protection and Family Violence Act;
- (8) In a position working with tribal juvenile delinquents and offenders;
- (9) As a tribal gaming licensee for whom criminal history background screening is not available through the National Indian Gaming Commission; and
- (10) As a tribal foster parent or prospective adoptive parent.

Section 2. That § 23-3-15.2 be AMENDED:

23-3-15.2. In order to determine the suitability of any applicant for or holder of a position listed in § 23-3-15.1, the requesting Indian tribe shall submit the completed fingerprint cards of the applicant or position holder to the Division of Criminal Investigation

for a national criminal history record check. The tribe, or, if required by the tribe, the applicant or position holder, must pay all processing fees required either by the Division of Criminal Investigation or the Federal Bureau of Investigation.

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I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

House as Bill No. 1175

2026 at _____ M.

Chief Clerk of the House

By _____
for the Governor

Speaker of the House

The attached Act is hereby approved this _____ day of _____, A.D., 2026

Attest:

Chief Clerk of the House

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2026
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1175
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State