

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0237

HOUSE BILL NO. 1013

Introduced by: The Committee on Health and Human Services at the request of the
Department of Health

1 FOR AN ACT ENTITLED, An Act to require criminal background investigations for certain
2 vital records employees.

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

4 Section 1. That § 1-43-34 be amended to read:

5 1-43-34. Each person hired by the Department of Health, within the forensic chemistry unit
6 of the ~~public health laboratory~~ State Public Health Laboratory or the Office of Vital Records,
7 shall submit to a criminal background investigation, by means of fingerprint checks by the
8 Division of Criminal Investigation and the Federal Bureau of Investigation. The department
9 shall submit completed fingerprint cards to the Division of Criminal Investigation before the
10 prospective new employee enters into service. If no disqualifying record is identified at the state
11 level, the fingerprints shall be forwarded by the Division of Criminal Investigation to the
12 Federal Bureau of Investigation for a national criminal history record check. Any person whose
13 employment is subject to the requirements of this section may enter into service on a temporary
14 basis pending receipt of results of the criminal background investigation. The department may,
15 without liability, withdraw its offer of employment or terminate the temporary employment



1 without notice if the report reveals a disqualifying record. Any person whose employment is
2 subject to the requirements of this section shall pay any fees charged for the criminal record
3 check.