



2020 South Dakota Legislature
House Bill 1040
ENROLLED

AN ACT

ENTITLED An Act to increase the frequency of background investigations for certain state employees.

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

Section 1. That § 3-6C-26 be AMENDED:

**3-6C-26. Executive branch employees--Access to confidential information--
Criminal background checks--Promulgation of rules.**

Each current or new executive branch employee, whose duties include access to confidential information obtained from the United States Internal Revenue Service or from an authorized secondary source, shall submit to and successfully pass a state and federal criminal background investigation. The employee shall submit to a fingerprint check by the Division of Criminal Investigation and the Federal Bureau of Investigation before being granted access to any confidential information. The appointing authority shall submit the completed fingerprint card to the Division of Criminal Investigation. In addition to the initial criminal background investigation, each employee shall submit to a criminal background investigation every five years thereafter. The human resources commissioner may promulgate rules, pursuant to chapter 1-26, to establish policies for exempt employees concerning the procedure for submitting fingerprints and completing the criminal background investigation. The commission may promulgate rules, pursuant to chapter 1-26, to establish policies for civil service employees concerning the procedure for submitting fingerprints and completing the criminal background investigation.

The appointing authority may pay any fee charged for the cost of fingerprinting or the criminal background investigation for any person whose employment is subject to the requirements of this section.

An Act to increase the frequency of background investigations for certain state employees.

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

House as Bill No. 1040

2020 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby approved this _____ day of _____, A.D., 2020

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2020
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1040
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State