

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

772C0498

SENATE JUDICIARY COMMITTEE ENGROSSED NO. **SB72** - 1/22/99

Introduced by: Senators Lawler, Dennert, Dunn (Rebecca), Flowers, Lange, Madden, and
Reedy and Representatives Cutler, Diedtrich (Elmer), and Waltman

1 FOR AN ACT ENTITLED, An Act to allow local governments to request a criminal record
2 check of certain persons considered for employment.

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

4 Section 1. That § 23-5-12.1 be amended to read as follows:

5 23-5-12.1. The superintendent of any public school or nonpublic school or the owner or
6 operator of any child welfare agency as defined in § 26-6-1 or the hiring authority for any local
7 governmental agency may submit the name and fingerprints of any person being considered for
8 employment by the school or agency, either directly or by contract, to the Division of Criminal
9 Investigation for a criminal record check. If the division determines the person has a record of
10 criminal convictions, the division shall notify the superintendent, owner, ~~or~~ operator, or hiring
11 authority of the criminal offenses.

12 Section 2. The provisions of § 23-5-12.1 apply only to persons being considered for
13 employment who are to work in direct contact with minors.

1 **BILL HISTORY**

2 1/19/99 First read in Senate and referred to Judiciary. S.J. 117

3 1/22/99 Scheduled for Committee hearing on this date.

4 1/22/99 Judiciary Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 155