

2025 South Dakota Legislature

Senate Bill 60**AMENDMENT 60E
FOR THE SENATE STATE AFFAIRS ENGROSSED BILL**

1 **An Act to expand the access and investigatory authority of the state auditor.**

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

3 **Section 1. That a NEW SECTION be added to chapter 1-9:**

4 The state auditor shall employ a qualified individual with experience in accounting
5 and auditing to monitor the state accounting system. The state auditor is entitled to access
6 all digital and onsite accounts, books, records, reports, and vouchers, of every agency, ~~as~~
7 ~~necessary for purposes of conducting an audit, investigating pertaining to financial receipt~~
8 ~~and expenditure transactions of the state, in accordance with § 4-4-3 and chapter 4-9, as~~
9 ~~necessary for purposes of investigating transactions and identifying improper~~
10 governmental conduct, and- ensuring that effective internal financial controls are in place
11 and maintained.

12 The state auditor shall report any improper government conduct, crime, fraud,
13 misappropriation, or misfeasance to the auditor general and the attorney general.

14 For purposes of this section, access does not include the ability to alter any digital
15 or onsite account, book, record, report, or voucher.

16 For purposes of this ~~Act section~~, "agency" means each association, authority,
17 board, including the Board of Regents and the South Dakota Board of Technical Education,
18 commission, committee, council, department, division, office, officer, task force, or other
19 agent of the state vested with the authority to exercise any portion of the state's
20 sovereignty. "Agency" does not include a political subdivision as defined § 1-25-12.

21 ~~For purposes of this section, "improper governmental conduct" means fraud,~~
22 ~~misappropriation, or misfeasance.~~

23 **~~Section 2. That a NEW SECTION be added to chapter 1-9:~~**

24 ~~Any agency contract must include a clause describing the state auditor's access, as provided~~
25 ~~in section 1 of this Act.~~

1 **Section 2. That § 4-7-15 be AMENDED:**

2 **4-7-15.** The Bureau of Finance and Management, at the direction and under the
3 control of the Governor, and subject to the provisions of this chapter, shall develop
4 financial policies and plans as the basis for budget recommendations to the Legislature,
5 and prepare detailed documents in accordance with ~~such~~ the financial policies and plans
6 for presentation to the Legislature. ~~The Bureau of Finance and Management~~ bureau shall
7 make its records and information available at all times to the Legislature ~~and,~~ its
8 designees, and to the state auditor.

9 **~~Section 4. That § 4-7-18 be AMENDED:~~**

10 ~~**4-7-18.** The Bureau of Finance and Management, at the direction and under the control of~~
11 ~~the Governor, in consultation with the state auditor and state treasurer, and subject to the~~
12 ~~provisions of this chapter, shall coordinate the fiscal affairs and procedures of the state to~~
13 ~~assure the carrying out of the financial plans and policies approved by the Legislature,~~
14 ~~including the administration of a system of expenditure control.~~