



## 2022 South Dakota Legislature

# House Bill 1041

SENATE STATE AFFAIRS ENGROSSED

Introduced by: **Representative** Ernie Otten

1 **An Act to facilitate legislative oversight of settlement agreements involving a state**  
2 **entity or official.**

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

4 **Section 1. That chapter 3-21 be amended with a NEW SECTION:**

5 A nondisparagement or similar clause is void and unenforceable to prevent the  
6 communication or disclosure of facts to the Executive Board of the Legislative Research  
7 Council or the Government Operations and Audit Committee as to any state government  
8 activities associated with any settlement agreement to which the state, an agency thereof,  
9 or officer or employee thereof in an official capacity pursuant to chapter 3-19, is a party.