



2025 South Dakota Legislature

Senate Bill 62

Introduced by: The Chair of the Committee on Judiciary at the request of the Attorney General

1 **An Act to establish mandatory reporting requirements related to crimes, improper**
 2 **governmental conduct, and conflicts of interest, and to provide a penalty**
 3 **therefor.**

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

5 **Section 1. That a NEW SECTION be added to chapter 3-6C:**

6 A state employee with supervisory authority shall report to the attorney general
 7 and the state auditor any other state employee who the reporting state employee
 8 reasonably suspects of:

9 (1) Committing a crime against the state, which constitutes a felony pursuant to the
 10 laws of this state;

11 (2) Engaging in improper governmental conduct; or

12 (3) Acting with a conflict of interest, as defined or described in:

13 (a) § 1-16A-6;

14 (b) § 1-16B-67;

15 (c) § 1-16H-12;

16 (d) § 3-16-7;

17 (e) § 3-16-8;

18 (f) § 3-23-1;

19 (g) §§ 5-18A-17 to 5-18A-17.6, inclusive;

20 (h) § 11-11-14;

21 (i) § 22-30A-46;

22 (j) § 42-7A-27; or

23 (k) § 42-7A-28.

24 The reporting state employee shall provide all known information pertaining to the
 25 suspected crime, improper governmental conduct, or conflict of interest pursuant to a
 26 process established by the attorney general and the state auditor.

1 A violation of this section is a Class 6 felony.

2 The attorney general shall provide to the Joint Committee on Appropriations, on
3 an annual basis, the number of reports received pursuant to this section and the
4 disposition of each report.

5 For purposes of this section, "improper governmental conduct" means fraud,
6 misappropriation, or misfeasance.