



2025 South Dakota Legislature

Senate Bill 176

Introduced by: **Senator Wheeler**

1 **An Act to clarify the discovery procedures and powers of the Government Operations**
2 **and Audit Committee.**

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

4 **Section 1. That § 2-6-4 be AMENDED:**

5 **2-6-4.** The Government Operations and Audit Committee may examine all records
6 and vouchers, summon witnesses by request or by issuing a subpoena, and thoroughly
7 examine all expenditures and the general management of each department of state
8 government.

9 ~~The Government Operations and Audit Committee~~ committee may issue a
10 subpoena ~~for the person, documents, or both and an individual, a document, or both. The~~
11 committee may take the deposition of any witness and issue written interrogatories and
12 requests for production of documents or things to any person in the same manner as
13 discovery is conducted in a civil action. The committee may use the procedure provided
14 in chapter 21-34 to enforce its subpoena or discovery procedure when the subject of the
15 subpoena or discovery procedure refuses to comply with the command to appear and
16 testify before the committee or comply with the discovery procedure. The committee may
17 authorize one or more members of the committee, or any other individual, to:

- 18 (1) Conduct an investigation on behalf of the committee;
19 (2) Use the discovery procedures the committee is authorized to use; and
20 (3) Use the procedure provided in chapter 21-34 to enforce the discovery procedures
21 of the committee.

22 However, no subpoena may be issued until the decision to issue a subpoena by the
23 Government Operations and Audit Committee has been ratified by the Executive Board of
24 the Legislative Research Council.