

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

346B0273

HOUSE BILL NO. 1135

Introduced by: Representative Haugaard

1 FOR AN ACT ENTITLED, An Act to provide for the use of certain confidential information
2 by the director of the Legislative Research Council.

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

4 Section 1. That chapter 2-9 be amended by adding a NEW SECTION to read:

5 Notwithstanding any other law of this state, a department, agency, or political subdivision
6 of the state shall provide any record, document, or other information upon request of the director
7 of the Legislative Research Council within the period and in the format provided in the request,
8 and for the purpose of a projection, estimate, report, advice, investigation, review, evaluation,
9 or other analysis requested of the director by a member of the Legislature or as required by law.

10 Section 2. That chapter 2-9 be amended by adding a NEW SECTION to read:

11 Any law requiring a department or agency of the state, or any political subdivision of the
12 state, to maintain the confidentiality of a record that is requested under section 1 of this Act
13 applies to the director of the Legislative Research Council. The director may not disclose the
14 contents of any record under this section to any member of the Legislature. The director may
15 use the contents of a record under this section solely for purposes under section 1 of this Act,



1 and shall maintain the confidentiality of the record in any projection, estimate, report, advice,
2 investigation, review, evaluation, or other analysis for which the record is requested.

3 Section 3. That § 10-1-28.4 be amended to read:

4 10-1-28.4. Returns and return information may be disclosed to the following:

5 (1) The taxpayer who is required to submit the information to the department, or the
6 taxpayer's designee appointed in writing;

7 (2) Other states, in accordance with agreements executed pursuant to § 10-1-13.1;

8 (3) Any agency, body, commission, or legal representative of the United States charged
9 with the administration of the United States tax laws for the purpose of, and only to
10 the extent necessary in, the administration of such laws;

11 (4) Officers, employees, or legal representatives of the Department of Revenue, but only
12 to the extent necessary to carry out their official duties;

13 (5) Officers, employees, or legal representatives of any other state agency or department
14 or political subdivision of the state for a civil or criminal law enforcement activity,
15 if the agency, department, or political subdivision desiring such information has
16 made a written request to the secretary specifying the particular information desired
17 and the law enforcement activity for which the information is sought;

18 (6) Officers, employees, or legal representatives of the commission on gaming and the
19 lottery commission for the purpose of, and only to the extent necessary for, the
20 administration of chapters 42-7A and 42-7B; and

21 (7) The director of the Legislative Research Council for purposes of section 1 of this Act.