

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

543H0472

HOUSE BILL NO. 1136

Introduced by: Representatives Olson (Mel), Bartling, Bradford, Burg, Davis, Elliott, Flowers, Gillespie, Glenski, Hanson (Gary), Hargens, Hundstad, Kloucek, Nachtigal, Nesselhuf, Peterson (Jim), Sigdestad, and Valandra and Senators Hutmacher, Dennert, Hagen, Koetzle, McIntyre, Moore, Reedy, Sutton (Dan), Symens, and Volesky

1 FOR AN ACT ENTITLED, An Act to clarify the approval authority for local accounts of the
2 state treasurer and state auditor.

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

4 Section 1. That § 4-4-3 be amended to read as follows:

5 4-4-3. All state public funds shall be received and maintained in the state treasury, and shall
6 be disbursed only upon proper authorization by the state auditor and the state treasurer, unless
7 the state treasurer and state auditor ~~shall~~ jointly determine a justification exists for maintaining
8 such public funds in a local bank account. A local bank account authorized by the state auditor
9 and state treasurer is an official account of the state subject to the custody of the state treasurer
10 under § 1-10-1.

11 Section 2. That chapter 4-4 be amended by adding thereto a NEW SECTION to read as
12 follows:

13 No agency may maintain a local bank account unless the state treasurer and state auditor



1 have jointly approved the account. A local account is an official account of the state. The
2 account shall be accessible to inspection by the state treasurer or state auditor at any time during
3 normal banking hours.

4 Section 3. That § 4-3-5 be amended to read as follows:

5 4-3-5. ~~Every such~~ Each officer or employee shall designate in writing, to be filed in ~~his~~ the
6 officer's or employee's office, the bank or banks in which ~~he shall have~~ are deposited the current
7 receipts of ~~his~~ the office or department ~~and any~~. Any account showing any such deposit ~~shall be~~
8 is an official account and shall be accessible to the inspection of the auditor-general or state
9 treasurer at any time during banking hours.