

2026 South Dakota Legislature

Draft 238

Requested by: **Senator** Howard

1 **An Act to amend provisions pertaining to a bank card issued to and used by an**
2 **officer or employee of this state.**

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

4 **Section 1. That § 3-9-19 be AMENDED:**

5 **3-9-19.** Any budget unit of the state may recommend that ~~an~~ a state officer or
6 employee be issued a bank card. If the ~~officer or~~ employee is issued a bank card by an
7 ~~issuing authority, the budget unit recommending the issuance shall be making the~~
8 recommendation is responsible for any annual fee for the bank card. ~~No~~ A bank card may
9 not be issued unless the ~~issuing authority~~ financial institution issuing the card has
10 contracted with the state to minimize any state liability for nonpayment of charges on
11 such bank cards. ~~The Bureau of Finance and Management shall promulgate rules, pursuant~~
12 ~~to chapter 1-26, for recommendation for issuance, use and termination of bank cards~~ the
13 bank card.

14 **Section 2. That a NEW SECTION be added to chapter 3-9:**

15 The Bureau of Finance and Management shall promulgate rules, pursuant to
16 chapter 1-26, to establish:

- 17 (1) The process by which a budget unit may recommend and receive approval for an
18 officer or employee to be issued a bank card;
19 (2) The criteria for assessing the recommendation of a budget unit;
20 (3) The maximum amount that a budget unit may pay per itemized expense for
21 lodging, meals, transportation, or other miscellaneous expenses, charged to the
22 card by an officer or employee of this state while conducting state business;
23 (4) The process for withholding from the wages of an employee issued the bank card,
24 any amount in excess of the maximum amount the budget unit is permitted to
25 repay, pursuant to subdivision (4); and
26 (5) The process by which a bank card is cancelled, including:
27 (a) How the budget unit notifies the bureau that the bank card is no longer
28 required for the work of the officer or the employee; and

1 (b) A statement from the budget unit as to why the work of the officer or the
2 employee no longer requires the use of the bank card.

3 The budget unit recommending that an officer or employee be issued a bank card
4 must include a general description of the work of the officer or employee and why the
5 work of the officer or employee requires the issuance of a bank card.

DRAFT