

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

171W0004

HOUSE BILL NO. 1023

Introduced by: Representatives Mickelson, Cronin, Dryden, and Hunhoff (Jean) and Senators Tidemann, Curd, and Heineman (Phyllis) at the request of the Interim Committee on Government Operations and Audit

1 FOR AN ACT ENTITLED, An Act to prohibit a state officer or employee from having an
2 interest in any contract that the state employee or officer approved, awarded, or administered
3 for one calendar year following termination of state employment.

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

5 Section 1. That § 5-18A-17 be amended to read as follows:

6 5-18A-17. No state officer or employee who approves, awards, or administers a contract
7 involving the expenditure of public funds or the sale or lease of property, may have an interest
8 in a contract that is within the scope of the officer's or employee's official duties. This
9 prohibition includes any state officer or employee who, in his or her official capacity,
10 recommends the approval or award of the contract or who supervises a person who approves,
11 awards, or administers the contract. This prohibition is in effect for one calendar year after the
12 state officer or employee terminates his or her office or employment with the state. This
13 prohibition does not include any state officer who serves without compensation or who may be
14 paid per diem pursuant to § 4-7-10.4. Any contract made in violation of this section is void. Any



- 1 ~~state officer or employee~~ person who knowingly violates this section is guilty of a Class 2
- 2 misdemeanor.