State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

891Z0078

HOUSE BILL NO. _____

Introduced by: _____

FOR AN ACT ENTITLED, An Act to establish provisions related to grant monitoring and review.

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

Section 1. That § 4-11-7.2 be amended to read:

4-11-7.2. Not less than ten days after the date of filing the audit reports, the Department of Legislative Audit or the private auditing firm, whichever performed the audit, shall publish for two issues in each of the official papers of the school district a brief statement of the fact that the audit was made, where the audit may be found on file for public inspection, and a brief recital of the substantial items of error, irregularity, or loss which were discovered, but with enough detail so that the public is informed of the important findings of the audit. The department or firm, whichever performed the audit, shall furnish a copy of the audit report to each school district board member either by mail or via electronic communication. The expense of the publication shall be paid at the legal rate by the school district.

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

Not less than ten days after the filing date of a grant sub-recipient monitoring report, the state agency or department shall submit the report for publication on a state website and retain

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Insertions into existing statutes are indicated by underscores.
Deletions from existing statutes are indicated by ~~overstrikes~~.

a physical copy of the report on file for public inspection.

Section 3. That chapter 4-11 be amended by adding a NEW SECTION to read:

Not less than ten days after the filing date of a grant evaluation report, the state agency or department shall submit the report for publication on a state website and retain a physical copy of the report on file for public inspection.

Section 4. That chapter 5-18A be amended by adding a NEW SECTION to read:

The state agency or department shall note any disclosed conflict of interest and its resolution in any meeting minutes, documents, or records that the state agency or department keeps as a regular part of its grant process.

Section 5. That the code be amended by adding a NEW SECTION to read:

No person who completes or assists with the development of a grant application or request for proposal, in either a paid or unpaid capacity, to receive state funds, including a pass-through grant, may participate in evaluating grant proposals, awarding a grant, drafting or entering into a grant agreement, evaluating grantee performance under a grant agreement, or authorizing payment under a grant agreement for that particular grant or any connected grant.

Proposed amendment to draft legislation (Senator Peters):

Within sixty days of the school district receiving the audit report, all school board members will be provided a copy of the audit report. The school board president or the president's designee shall present to the school board during a regularly scheduled school board meeting a summary of the finding of the audit report. The presentation of the audit report shall be reported in the official school board minutes.