



**Authorizations
Filed with the Bureau of Human
Resources Annual Report**

For the Time Period of July 1, 2016 – June 30, 2017

From the Bureau of Human Resources

Introduction:

This report covers the authorizations filed with the Bureau of Human Resources under SDCL 5-18A-17.2 and 5-18A-17.3 for the time period of July 1, 2016, through June 30, 2017.

Legislative History:

In 2015, the Legislature passed the measures which resulted in SDCL 5-18A-17.2 and 5-18A-17.3.

SDCL 5-18A-17.2 states:

“A governing body may authorize an officer or employee whose responsibilities include approving, awarding, or administering a contract on behalf of a state agency or supervising any employee who has these responsibilities to be a party to or derive a direct benefit from a contract if:

- (1) The officer or employee has provided full written disclosure to the governing body;
- (2) The governing body has reviewed the essential terms of the transaction or contract and the state officer’s or employee’s role in the contract or transaction; and
- (3) The transaction and the terms of the contract are fair, reasonable, and not contrary to the public interest.

The authorization shall be in writing. Any authorization given pursuant to this section is a public record. Each authorization shall be filed with the commissioner of the Bureau of Human Resources, who shall compile the authorizations and present them annually for review by the Government Operations and Audit Committee.”

SDCL 5-18A-17.3 states:

“Within the one-year period prohibiting any contract with a state agency, the governing body of the state agency may approve a former officer or employee to contract with any state agency if the governing body determines that the transaction and the terms of the contract are fair, reasonable, and are in the best interests of the public. The authorization shall be in writing.

Any approval given pursuant to this section is a public record. Each approval shall be filed with the commissioner of the Bureau of Human Resources, who shall compile the approvals and present them annually for review by the Government Operations and Audit Committee.”

The Bureau of Human Resources received 14 authorizations (waivers) regarding individuals for the time period of July 1, 2016, through June 30, 2017. A copy of these authorizations will be provided with this report.