

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

771W0401

SENATE APPROPRIATIONS

ENGROSSED NO. **SB 193** - 02/20/2015

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: The Committee on Taxation

1 FOR AN ACT ENTITLED, An Act to provide for an annual evaluation of state government
2 agencies and require a report.

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

4 Section 1. That chapter 2-6 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Terms used in this Act mean:

- 7 (1) "Agency," a state agency, department, division, program, or office of any state
8 agency, bureau, authority, institution, council, board, commission, or program of
9 state government. This term does not include any unit of local government;
- 10 (2) "Committee," the Government Operations and Audit Committee.

11 Section 2. That chapter 2-6 be amended by adding thereto a NEW SECTION to read as
12 follows:

13 During each interim, the committee shall conduct agency evaluations which may consider
14 any of the following:



- 1 (1) Whether the funds which have been appropriated or otherwise allotted by the
2 Legislature to the various state agencies have been expended in accordance with
3 legislative intent;
- 4 (2) Whether programs administered by the agencies are being conducted according to
5 legislative intent;
- 6 (3) Whether money and other assets for which the agency is responsible have been
7 properly administered;
- 8 (4) Whether reports and financial statements of the agency adequately disclose the nature
9 and scope of the activities conducted and provide a proper basis for evaluating the
10 agency's operations;
- 11 (5) Whether there is duplication or overlap of services;
- 12 (6) Whether there are alternative means of achieving the same results;
- 13 (7) Whether the committee agrees with the goals of the agency;
- 14 (8) Whether the committee agrees with the objectives of the agency;
- 15 (9) Whether the objectives are measurable and have identified targets or benchmarks;
- 16 (10) Whether the agency's performance measures can determine progress toward the
17 targets or benchmarks; and
- 18 (11) Any other factors relating to the efficiency, economy, and effectiveness of the agency
19 being evaluated.

20 Section 3. That chapter 2-6 be amended by adding thereto a NEW SECTION to read as
21 follows:

22 The committee shall develop a schedule for evaluating each state agency. The committee
23 shall ensure that each agency is evaluated at least once every eight years, except any agency the
24 committee exempts from evaluation.

1 Section 4. That chapter 2-6 be amended by adding thereto a NEW SECTION to read as
2 follows:

3 The committee shall provide the results of the evaluations to the Executive Board of the
4 Legislative Research Council in a written report by December first of each year.

5 Section 5. That chapter 2-6 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 Any officer or employee of a state agency subject to the evaluations required in this Act
8 shall fully assist the committee during the course of the evaluation. The committee and staff
9 shall have access to and authority to examine all books, records, accounts, files, correspondence,
10 and all other documents, confidential or otherwise, maintained by the agency or its employees
11 during the course of agency business. The committee and staff shall maintain as confidential any
12 information received that is specifically enjoined to be held confidential by law.

13 Section 6. This Act is effective January 1, 2016.