

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

717N0320

HOUSE ENGROSSED NO. **HB 1111** - 01/29/2007

Introduced by: Representatives Rounds, Halverson, and Hanks and Senators Gant and Bartling

1 FOR AN ACT ENTITLED, An Act to permit local government officials and employees to use
2 electronic payments and to permit the state and its political subdivisions to accept electronic
3 payments.

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

5 Section 1. That § 4-3-27 be amended to read as follows:

6 4-3-27. Notwithstanding any other provision of law, local government officials and
7 employees may be permitted to use a credit card or electronic payment for the purchase of
8 materials, supplies, equipment, or other authorized transactions for the benefit of the local
9 government entity. Before authorizing the use of a credit card or electronic payment, the
10 governing body shall, by resolution, establish policies providing for the use and accountability
11 of credit card purchases or electronic transactions. However, no local governing body may
12 mandate that the recipient of the payment for goods or services, other than payroll, shall accept
13 payment by electronic transaction.

14 Section 2. That § 4-3-28 be amended to read as follows:

15 4-3-28. Notwithstanding any other provision of law, the state and its political subdivisions



1 may accept a credit card ~~or~~, a debit card, or an electronic payment as payment for a transaction.
2 The state and its political subdivisions may assess and collect a fee in an amount sufficient to
3 cover any processing fee associated with a credit card ~~or~~, debit card, or electronic transaction.
4 The Bureau of Finance and Management shall promulgate rules pursuant to chapter 1-26
5 relating to the establishment and collection of a processing fee associated with a credit card or
6 debit card transaction. The governing body of each political subdivision may, by resolution,
7 establish and collect a processing fee associated with a credit card ~~or~~, debit card, or electronic
8 transaction.