

AN ACT

ENTITLED, An Act to require the conduct of criminal background checks for certain persons employed by the Division of Banking.

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

Section 1. That § 51A-2-6 be amended to read as follows:

51A-2-6. The division may employ such examiners and special examiners, legal counsel, clerks, stenographers and such other aides as it may deem necessary to assist the director in the performance of his duties. The division shall fix the compensation of each employee and may dismiss any employee not subject to the provisions of chapter 3-6A at will.

Each person hired by the Division of Banking, in any capacity, shall agree to submit to a background investigation, by means of fingerprint checks by the Division of Criminal Investigation and the Federal Bureau of Investigation. The division shall submit completed fingerprint cards to the Division of Criminal Investigation before the prospective new employee enters into service. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Division of Criminal Investigation to the Federal Bureau of Investigation for a national criminal history record check. Any person whose employment is subject to the requirements of this section may enter into service on a temporary basis pending receipt of results from the background investigation. The division may, without liability, withdraw its offer of employment or terminate the temporary employment without notice if the report reveals that the person has been convicted of any financial crime, or any crime that otherwise reveals circumstances that reasonably suggest that the person should not be employed by the division.

An Act to require the conduct of criminal background checks for certain persons employed by the Division of Banking.

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I certify that the attached Act
originated in the

SENATE as Bill No. 44

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 44
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State