

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0314

SENATE COMMERCE AND ENERGY
ENGROSSED NO. **HB 1022** - 2/26/2019

Introduced by: The Committee on Commerce and Energy at the request of the Bureau of
Administration

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the limitations on
2 indemnification by the state.

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

4 Section 1. That the code be amended by adding a NEW SECTION to read:

5 No agreement providing for indemnification by the state is enforceable against the state,
6 except to the extent that liability coverage is provided for the indemnification pursuant to § 3-
7 22-1, funds are specifically appropriated by the Legislature to provide for the indemnification,
8 or the Legislature has expressly authorized the indemnification.

9 Section 2. That the code be amended by adding a NEW SECTION to read:

10 The state treasurer is authorized to include indemnity provisions in contracts with banks
11 regarding the establishment and maintenance of accounts for the provision of payment
12 processing.

