

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

483V0519

SENATE BILL NO. 123

Introduced by: Senators Kirkeby, Begalka, Ewing, Holien, Jensen, Krebs, Lederman, Maher, Monroe, Novstrup (Al), Omdahl, Otten (Ernie), Rampelberg, Rhoden, and Van Gerpen and Representatives Nelson, Anderson, Campbell, Craig, Dryden, Ecklund, Erickson, Greenfield, Haggar (Don), Haggar (Jenna), Heinemann (Leslie), Hickey, Hoffman, Kaiser, Kopp, Langer, Latterell, Mickelson, Munsterman, Novstrup (David), Olson (Betty), Otten (Herman), Qualm, Rasmussen, Rozum, Russell, Schaefer, Schoenfish, Stalzer, Steele, Stevens, Tulson, Verchio, Werner, and Westra

1 FOR AN ACT ENTITLED, An Act to require the Department of Social Services to develop a
2 procedure to screen and test applicants for certain financial assistance benefits to determine
3 if the applicants are using controlled substances.

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

5 Section 1. The secretary of the Department of Social Services shall develop a procedure to
6 screen and test applicants for financial assistance benefits under programs administered by the
7 Department of Social Services to determine if any applicant is using a controlled substance. The
8 secretary shall determine the procedure and the parameters on how the screening and testing
9 shall be implemented and select one or more programs that are available for providing public
10 welfare and assistance to participate in the screening and testing. The secretary may promulgate
11 rules, pursuant to chapter 1-26, concerning the procedure for the screening and testing of
12 applicants for financial assistance benefits, establishing penalties for failing a test for use of



1 controlled substances including denial of financial assistance, and collecting and reporting data
2 concerning the number of applicants tested, denied assistance, and the controlled substances
3 found to be used. The secretary shall submit a report to the Legislature by January 1, 2015,
4 explaining the programs selected by the secretary for screening and testing and a summary of
5 the initial results. The secretary shall submit a report to the Government Operations and Audit
6 Committee by October first each year of the results in the previous fiscal year.