

AN ACT

ENTITLED, An Act to revise certain provisions concerning the state communications system and the South Dakota law enforcement telecommunications system.

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

Section 1. That § 1-13-1 be amended to read as follows:

1-13-1. The Bureau of Information and Telecommunications may purchase the necessary apparatus and equipment to construct or establish a state communications system which shall be used solely for the transmission of business and information for state, federal, and local government and other public safety entities. The bureau may also purchase receiving sets in such quantities as may be most economical to facilitate the speedy transmission of messages and state information.

The bureau is charged with the operation and maintenance of the state communications system. However, the Department of Public Safety shall operate and maintain the South Dakota law enforcement telecommunications system.

Section 2. That § 1-13-3 be amended to read as follows:

1-13-3. The Bureau of Information and Telecommunications may employ such operators and assistants and such equipment necessary to carry out the provisions of this chapter. The costs of maintaining and operating a state voice communications system and all receiving sets owned or operated by the bureau shall be paid out of the appropriation for the bureau. The costs for operation and maintenance of the South Dakota law enforcement telecommunications system shall be paid out of the radio communications fund.

Section 3. That § 1-13-5 be amended to read as follows:

1-13-5. The Bureau of Information and Telecommunications and the Department of Public Safety may apply for, accept, and expend on behalf of the state communications system any appropriations, grants, matching funds, or moneys allotted to the State of South Dakota by the federal government

pursuant to any act of Congress of the United States. The funds so received by the State of South Dakota shall be administered and expended under the supervision of the bureau or the department to purchase the necessary apparatus and equipment for new construction and equipment improvements in the state communications system. Such funds shall be deposited in the state treasury to be paid out on warrants drawn by the state auditor on vouchers approved by the commissioner of the bureau or the secretary of public safety.

Section 4. That § 1-13-8 be amended to read as follows:

1-13-8. The Department of Public Safety shall broadcast all police dispatches and reports submitted, which have a reasonable relation to, or connection with, the apprehension of criminals, the prevention of crime, or the maintenance of peace and order in the state. The department shall also broadcast any other statement or report upon request of any constitutional officer, or the head of any state department, providing such message relates to state business.

Section 5. That § 1-13-11 be amended to read as follows:

1-13-11. The Department of Public Safety may operate and maintain a unified data network to interconnect various law enforcement agencies in South Dakota by written communications. The department may also purchase or lease the necessary apparatus and equipment to construct, maintain, and control the law enforcement communications network.

Section 6. That § 1-13-12 be amended to read as follows:

1-13-12. The state shall furnish to the Department of Public Safety and the Office of the Attorney General all the necessary equipment.

Section 7. That § 1-13-13 be amended to read as follows:

1-13-13. Each county within the state shall furnish to the sheriff of that county a data terminal and other necessary equipment of a type specified by the Department of Public Safety.

Section 8. That § 1-13-14 be amended to read as follows:

1-13-14. Any first or second class municipality may apply to participate in the South Dakota law enforcement telecommunications system. If the application is approved by the Department of Public Safety, the participating municipality shall furnish its police department with a data terminal and other necessary equipment of a type specified by the department.

Section 9. That § 1-13-15 be amended to read as follows:

1-13-15. The Department of Public Safety may authorize other law enforcement agencies to participate in the South Dakota law enforcement telecommunications system upon such terms and conditions as are necessary to protect the security of the network.

Section 10. That § 1-13-16 be amended to read as follows:

1-13-16. The Department of Public Safety may adopt rules, pursuant to chapter 1-26, establishing procedures for operation, maintenance, and control of the South Dakota law enforcement telecommunications system.

Section 11. That § 1-13-17 be amended to read as follows:

1-13-17. The Department of Public Safety shall terminate service to any installation on the South Dakota law enforcement telecommunications system if the department determines that there is a risk of violation of the security or privacy restriction imposed by state or federal statutes.

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I certify that the attached Act originated in the

SENATE as Bill No. 38

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. 38
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

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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