**55:10:04:04.  Selection process.** The selection process for law enforcement officers ~~shall~~ must proceed as ~~follows:~~ set forth in this section.

(1) Following the deadline for applications, the commissioner shall prepare a requisition list of applicants ~~meeting the mandatory minimum requirements for the position;~~ and submit the list to the appointing authority.

(2) Any applicant who possesses a current law enforcement certification in ~~South Dakota~~ this state or in another jurisdiction ~~shall~~ must be added to the requisition list. ~~without being required to take a written examination. Any other applicant shall be required to take a written examination in order to earn eligibility on the requisition list. The appointing authority shall determine the minimum score for the examination. Each applicant shall attain at least a minimum score on the examination to proceed in the selection process;~~

~~(3) The commissioner shall notify each applicant of the applicant’s examination score. The commissioner may not provide information to an applicant about the qualifications of any other applicant;~~

~~(4) After the examination, the commissioner shall prepare a requisition list of applicants meeting the minimum scores and applicants who possess a current law enforcement certification in South Dakota or in another jurisdiction and submit the requisition list to the appointing authority;~~

~~(5) From the requisition list, the~~

(3) The appointing authority shall determine which applicants meet the ~~mandatory~~ minimum requirements for the position~~;~~.

~~(6)~~(4) The appointing authority may then use any number or combination of selection methods ~~to evaluate all eligible applicants~~, including a written examination and interviews, to evaluate all eligible applicants and determine the degree to which each eligible applicant possesses the knowledge, skills, abilities, and competencies necessary to perform the duties of the position. If a written examination is used, all eligible applicants except certified law enforcement officers must take the examination~~;~~.

~~(7)~~(5) The appointing authority may then extend a conditional offer of employment to any applicant on the requisition list meeting the foregoing requirements. The offer of employment ~~shall~~ must be conditioned on the number of positions available at the time the applicant meets the minimum requirements for appointment and ~~successful completion of the requirements of subdivisions (8) and (9) of this section;~~ successfully completes the background investigation required by subdivision (6).

~~(8)~~(6) The appointing authority shall determine if the applicant is of good character, as determined by a background investigation, and may require the applicant to complete a polygraph examination~~;~~.

~~(9)~~(7) The appointing authority shall then determine if the applicant meets the mandatory minimum requirements for the position~~; and~~.

~~(10)~~(8) The appointing authority shall select for each available position an applicant who has met all of the requirements of the position and shall report the final selection to the commissioner.

**Source:** 39 SDR 99, effective December 3, 2012; 41 SDR 58, effective October 14, 2014; 43 SDR 80, effective December 5, 2016.

          **General Authority:** SDCL 3-6D-7.

          **Law Implemented:** SDCL 3-6C-23, 3-6D-7.