

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

549W0573

SENATE BILL NO. 177

Introduced by: Senators Novstrup (David), Brown, Cammack, Curd, Ewing, Greenfield (Brock), Hagggar (Jenna), Haverly, Heineman (Phyllis), Holien, Jensen (Phil), Lederman, Monroe, Olson, Omdahl, Peters, Rave, Rusch, Soholt, Solano, Tidemann, Vehle, and White and Representatives Cronin, Brunner, Conzet, Craig, Deutsch, Gosch, Greenfield (Lana), Hagggar (Don), Harrison, Hickey, Jensen (Alex), Klumb, Langer, Latterell, May, Otten (Herman), Peterson (Kent), Qualm, Rozum, Solum, Verchio, Werner, Westra, Willadsen, Wink, Wollmann, and Zikmund

1 FOR AN ACT ENTITLED, An Act to establish a youth minimum wage.

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

3 Section 1. That § 60-11-3 be amended to read as follows:

4 60-11-3. Every employer shall pay to each employee wages at a rate of not less than eight
5 dollars and fifty cents an hour. Violation of this section is a Class 2 misdemeanor. The
6 provisions of this section do not apply to certain employees being paid an opportunity wage
7 pursuant to § 60-11-4.1, babysitters, employees under age eighteen, or outside salespersons. The
8 provisions of this section also do not apply to employees employed by an amusement or
9 recreational establishment, an organized camp, or a religious or nonprofit educational
10 conference center if one of the following apply:

11 (1) The establishment, camp, or center does not operate for more than seven months in
12 any calendar year; or



1 (2) During the preceding calendar year, the average receipts of the establishment, camp,
2 or center for any six months of the calendar year were not more than thirty-three and
3 one-third percent of its average receipts for the other six months of the year.

4 Section 2. That chapter 60-11 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 An employer shall pay an employee under the age of eighteen at least seven dollars and fifty
7 cents an hour. This wage is not subject to the annual minimum wage adjustment pursuant to
8 § 60-11-3.2. No employer may take any action to displace an employee, including a partial
9 displacement through a reduction in hours, wages, or employment benefits, in order to hire an
10 employee at the wage authorized in this Act.