

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

832A0691      **HOUSE JUDICIARY COMMITTEE ENGROSSED NO.**  
**HB1213 - 2/11/97**

Introduced by: Representatives Cutler, Apa, Brooks, Gabriel, Hagg, Jorgensen, and Schremp and Senators Halverson, Aker, Flowers, Rounds, and Whiting

1 FOR AN ACT ENTITLED, An Act to provide a penalty for strikes by public employees.

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

3 Section 1. That § 3-18-10 be amended to read as follows:

4 3-18-10. No public employee ~~shall~~ may strike against the State of South Dakota, any of the  
5 political subdivisions ~~thereof~~ of the state, any of its authorities, commissions, or boards, the  
6 public school system, or any other branch of the public service. ~~Provided, however, that~~  
7 However, nothing contained in this chapter shall be construed to limit, impair or affect, limits,  
8 impairs, or affects the right of any public employee to the expression or communication of a  
9 view, grievance, complaint, or opinion on any matter related to the conditions or compensation  
10 of public employment or their betterment with the full, faithful, and proper performance of the  
11 duties of employment. Any person who violates this section is subject to a civil penalty of up to  
12 one thousand dollars for each day of violation. Any resident of the affected district or county in  
13 which the strike occurred may enforce this section. All moneys recovered shall be paid to the  
14 affected governmental entity. However, any person bringing the action may recover all costs,  
15 expenses, and attorneys fees expended to enforce this section.

1 **BILL HISTORY**

2 1/31/97 First read in House and referred to Judiciary. H.J. 241

3 2/10/97 Scheduled for Committee hearing on this date.

4 2/10/97 Judiciary Do Pass Amended, AYES 9, NAYS 4. H.J. 399