

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

400C0233

## HOUSE ENGROSSED NO. **HB1024** - 1/25/99

Introduced by: The Committee on Commerce at the request of the Department of Labor

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the minimum wage  
2 to be paid persons under twenty years of age.

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

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

5 60-11-3. Every employer shall pay to each employee ~~who has reached the age of eighteen~~  
6 ~~years~~, wages at a rate of not less than five dollars and fifteen cents an hour. Violation of this  
7 section is a Class 2 misdemeanor.

8 The provisions of this section do not apply to certain employees being paid an opportunity  
9 wage pursuant to section 2 of this Act, babysitters, or outside salesmen.

10 Section 2. That § 60-11-4.1 be amended to read as follows:

11 60-11-4.1. Any employee who is ~~eighteen or nineteen~~ under twenty years of age may be paid  
12 an opportunity wage as defined in section 6 of the Fair Labor Standards Amendments of 1996  
13 as of October 1, 1996.

14 Section 3. That § 60-12-3 be amended to read as follows:

15 60-12-3. No child under sixteen years of age may be employed at any time in any occupation  
16 dangerous to life, health, or morals, nor may any child be in any manner exploited by any

1 employer, ~~including for anyone under eighteen years of age the imposition of wages at a rate less~~  
2 ~~than seventy-five percent of the minimum wage.~~ However, it is permissible to employ children  
3 over fourteen years of age to dispense gasoline, gasohol, diesel fuel, and oil at gasoline service  
4 establishments. Violation of this section is a Class 2 misdemeanor. This section does not apply  
5 to minors employed by their parents or to minors who have successfully completed a safety  
6 course and received a license, permit, or certificate from a state or federal agency to operate  
7 agricultural equipment or otherwise to be employed in any occupation in an agricultural  
8 occupation within the scope of the license, permit, or certificate.

1 **BILL HISTORY**

2 1/12/99 First read in House and referred to Commerce. H.J. 36

3 1/21/99 Scheduled for Committee hearing on this date.

4 1/21/99 Commerce Do Pass, Passed, AYES 13, NAYS 0. H.J. 104

5 1/21/99 Commerce Place on Consent Calendar.

6 1/22/99 Second reading of consent calendar items.

7 1/25/99 Motion to Amend, Passed. H.J. 180