

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

982C0834

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB1293** - 3/1/99

Introduced by: Representatives Young, Diedrich (Larry), Duenwald, Eccarius, Engbrecht, Fiegen, Fitzgerald, Garnos, Juhnke, Koskan, McCoy, McNenny, Michels, Monroe, Napoli, Peterson, Pummel, Putnam, Slaughter, and Solum and Senators Whiting, Benson, Bogue, Drake, and Madden

1 FOR AN ACT ENTITLED, An Act to protect an employee's pay check by requiring prior  
2 written authorization to collect fees for political activity.

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

4 Section 1. An organization governed by chapter 3-18 or 60-9 and recognized as the exclusive  
5 representative of an employee unit may collect from any person a fee or other payment that can  
6 be used for political activity if the organization has received a separate, prior written  
7 authorization from the person for political activity. The authorization remains in effect until  
8 revoked and it may be revoked at any time upon written notice.

9 Section 2. Any member of an organization as of the effective date of this Act is deemed to  
10 have been given notice and to have authorized political activity if the organization issues  
11 information on a periodic basis detailing the activity. A periodic basis is not less than four times  
12 per year. This section does not apply to any political party.

13 Section 3. For the purposes of this Act, the term, political activity, means any contribution,  
14 expenditure, or valuable consideration in whatever form:

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- 1       (1)    To a candidate, candidate's committee, political party committee, ballot question  
2            committee, or political action committee;
- 3       (2)    In furtherance of or to defeat the nomination of any person as a candidate for public  
4            office or the election of any person to public office; or
- 5       (3)    In furtherance of or to defeat any constitutional amendment, initiated measure,  
6            referred law, or other question submitted to the voters of the whole state.
- 7       The term does not include lobbying.

1 **BILL HISTORY**

2 2/1/99 First read in House and referred to committee assignment waived. H.J. 286

3 2/2/99 Referred to Commerce. H.J. 318

4 2/18/99 Scheduled for Committee hearing on this date.

5 2/18/99 Commerce Deferred to 41st legislative day, AYES 12, NAYS 1. H.J. 594

6 2/18/99 Commerce Reconsidered, AYES 12, NAYS 0.

7 2/18/99 Commerce Reconsidered.

8 2/18/99 Commerce Report Without Recommendation, AYES 7, NAYS 6. H.J. 625

9 2/18/99 Recalled from committee (Rule 7-7). H.J. 606

10 2/19/99 House of Representatives Placed on Calendar, AYES 36, NAYS 34. H.J. 642

11 2/22/99 Motion to Amend, Passed, AYES 41, NAYS 27. H.J. 674

12 2/22/99 House of Representatives Do Pass Amended, Passed, AYES 36, NAYS 32. H.J. 675

13 2/22/99 House of Representatives Title Amended Passed. H.J. 675

14 2/22/99 Intent to reconsider. H.J. 676

15 2/22/99 House of Representatives Reconsidered, AYES 33, NAYS 34. H.J. 678

16 2/23/99 First read in Senate and referred to State Affairs. S.J. 645

17 2/26/99 Scheduled for Committee hearing on this date.

18 2/26/99 State Affairs Do Pass Amended, Failed, AYES 4, NAYS 4.

19 2/26/99 State Affairs Do Pass Amended, Passed, AYES 5, NAYS 4. S.J. 709