

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

400I0558

## HOUSE BILL NO. 1098

Introduced by: The Committee on State Affairs at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to provide for the accrual and accumulation of vacation and  
2 sick leave by state employees on a semimonthly basis.

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

4 Section 1. That § 3-6-6 be amended to read as follows:

5 3-6-6. Each state employee shall earn fifteen working days vacation time per full year of  
6 employment. Any employee with more than fifteen years employment shall receive twenty  
7 working days vacation with pay for each year of employment. Such leave shall be accrued on an  
8 hourly, biweekly, semimonthly, or monthly basis as determined by the commissioner of  
9 personnel. ~~Vacation~~ No vacation hours earned ~~shall not~~ may be used until the employee has  
10 served the initial six-month period, ~~and~~ Vacation hours are cumulative only to the extent of that  
11 which may be earned in a period of time not exceeding two years of regular and continuous state  
12 employment. No advanced leave of absence for vacation with pay may be granted at any time.

13 Section 2. That § 3-6-7 be amended to read as follows:

14 3-6-7. In addition to the leave of absence for vacation as provided in § 3-6-6, each employee  
15 of the state, except temporary and emergency employees as defined by Career Service  
16 Commission rules, and patient, inmate, and student employees, ~~shall be~~ is entitled to fourteen



1 days leave of absence for sickness without loss of pay, exclusive of Saturdays, Sundays, and  
2 holidays, for each year ~~he~~ the employee is in the employment of the state. Leave of absence for  
3 sickness shall be accrued on an hourly, biweekly, semimonthly, or monthly basis as determined  
4 by the commissioner of personnel and shall accumulate without limit as to the number of days  
5 of such accumulation. All leave of absence for sickness shall be supported by a medical certificate  
6 upon the request of the commissioner of personnel. No employee ~~shall be~~ is entitled to more than  
7 his or her accrued and earned leave of absence for sickness without first using up any and all of  
8 his or her accumulated and earned leave of absence for vacation.

9 An employee may use up to five days of his or her sick leave in each calendar year for  
10 personal emergency reasons. Leave for personal emergencies may not be accrued from year to  
11 year. The Career Service Commission, pursuant to chapter 1-26, shall adopt rules defining the  
12 term, "personal emergency", to implement this provision.

13 Adoption of a child by any state employee is treated as natural childbirth for leave purposes.