

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

273I0196

HOUSE BILL NO. 1116

Introduced by: Representatives Lange, Engels, Glenski, Kroger, Nesselhuf, Olson (Mel), and Sigdestad and Senator Dennert

1 FOR AN ACT ENTITLED, An Act to regulate certain forms of political activity related to state
2 employees.

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

4 Section 1. Terms used in this Act mean:

5 (1) "Contribution," as the term is defined in § 12-25-1; and

6 (2) "State employee," any employee of any department, agency, council, office, bureau,
7 commission, or board of the State of South Dakota.

8 Section 2. No state employee may directly or indirectly use his or her authority or official
9 influence to compel any state employee to apply for membership in or become a member of any
10 organization or to pay or promise to pay any assessment, subscription, or contribution or to take
11 part in any political activity. No state employee may solicit from any subordinate state employee
12 any contribution to or on behalf of any state officer or candidate for state office. No state
13 employee may give to any person any list of names and residence addresses of state employees
14 knowing that the list will be used for the purpose of soliciting contributions from, or mailing
15 political campaign literature or advertising to, such state employees. A violation of this section



1 is a Class 2 misdemeanor. Any state employee who is found guilty of violating this section shall
2 be terminated from state employment.

3 Section 3. No state employee who lawfully, willingly, and voluntarily makes a contribution
4 to or on behalf of any state officer or candidate for state office may be dismissed, demoted,
5 suspended, or subjected to any other disciplinary action because of the making of such
6 contribution. A violation of this section is a Class 2 misdemeanor. Any state employee who is
7 found guilty of violating this section shall be terminated from state employment.