

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

409I0372

HOUSE BILL NO. 1121

Introduced by: Representatives Olson (Mel), Cutler, Gillespie, Hennies, Hunhoff, Madsen, McCoy, Peterson (Bill), Schafer, and Sebert and Senators Olson (Ed), Diedrich (Larry), Duniphan, Moore, and Sutton (Dan)

1 FOR AN ACT ENTITLED, An Act to clarify certain restrictions concerning sex discrimination
2 in certain employment matters.

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

4 Section 1. That chapter 20-13 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No employment decision in which the sex of the person is considered may be deemed
7 discriminatory conduct under this chapter if the employment requires monitoring or supervising
8 any single-sex bathroom, locker room, or changing room, or involves any situation in which
9 privacy in the intimate affairs of life is expected by participants. This section does not afford the
10 right of same sex observational privacy to prisoners.

