

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

556N0045

## SENATE BILL NO. 152

Introduced by: Senators Napoli, Apa, Hanson (Gary), Jerstad, Katus, Kloucek, and Koetzle  
and Representatives Van Norman, Moore, and Rhoden

1 FOR AN ACT ENTITLED, An Act to provide for the imposition of civil penalties for failure  
2 to timely file certain workers' compensation reports.

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

4 Section 1. That chapter 62-6 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 If an insurer or employer fails to file with the Department of Labor any report required by  
7 this chapter in the manner and within the time limitations prescribed, or otherwise fails to  
8 provide a report required by this section in the manner provided by this section, the Department  
9 of Labor shall impose a civil penalty of five hundred dollars for each failure. Notice of such  
10 penalty imposed shall be made to the party which is in noncompliance by the department on a  
11 form prescribed by the department. Any person who violates the filing provisions of this section  
12 is guilty of a Class 2 misdemeanor.

13 Section 2. That chapter 62-6 be amended by adding thereto a NEW SECTION to read as  
14 follows:

15 The imposition of a penalty may be appealed to the secretary of the Department of Labor



1 within thirty days of notice of the penalty.

2 Section 3. That chapter 62-6 be amended by adding thereto a NEW SECTION to read as

3 follows:

4 Monies collected by the state pursuant to section 1 of this Act shall be paid into the state

5 treasury for deposit into an assigned risk safety account.