

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

757R0309

## HOUSE BILL NO. 1205

Introduced by: Representatives Russell, Brunner, Curd, Greenfield, Jensen, Kirkeby, Kopp, Lederman, Moser, Olson (Betty), Rausch, Rave, Steele, and Verchio and Senators Maher, Howie, and Schmidt

1 FOR AN ACT ENTITLED, An Act to prohibit and penalize certain alien employment.

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

3 Section 1. That chapter 60-1 be amended by adding thereto a NEW SECTION to read as  
4 follows:

5 No employer may employ an alien whom the employer knows is not a citizen of the United  
6 States and not in possession of Form I-151, Alien Registration Receipt Card or any other  
7 document issued by the United States Immigration and Naturalization Service or the Attorney  
8 General of the United States which authorizes the alien to work. Any employer who violates this  
9 Act is subject to a civil penalty of up to two thousand five hundred dollars for each day this Act  
10 is violated. The civil penalty shall be imposed by the Secretary of the Department of Labor after  
11 notice and hearing according to the contested case procedure authorized in chapter 1-26. Any  
12 person aggrieved by the assessment of a civil penalty may appeal the assessment according to  
13 the contested case appeal procedure authorized in chapter 1-26.

