



2024 South Dakota Legislature

Senate Bill 181

Introduced by: **Senator Tobin**

1 **An Act to specify work search requirements for unemployment benefits.**

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

3 **Section 1. That § 61-6-1 be AMENDED:**

4 **61-6-1.** An unemployed individual is eligible to receive benefits with respect to
5 any week only if the department finds that:

6 (1) The individual has registered for work at and thereafter has continued to report at
7 an employment office in accordance with rules promulgated by the department
8 pursuant to chapter 1-26. ~~However, that the~~ The department may, by rule, waive
9 or alter either or both of the requirements of this subdivision as to individuals
10 attached to regular jobs and as to ~~such~~ other types of cases or situations ~~with~~
11 ~~respect to which~~ where the department finds that compliance with the
12 requirements would be oppressive, or would be inconsistent with the purposes of
13 this title. ~~No such~~ rule may conflict with this chapter;

14 (2) The individual has made a claim for benefits in accordance with the provisions of
15 § 61-7-1;

16 (3) The individual is able to work and is available for work, and has completed no fewer
17 than five work search actions, as provided in section 2 of this Act, per week, that
18 are reported weekly to the department, in accordance with rules promulgated by
19 the department pursuant to chapter 1-26;

20 (4) Prior to any week for which the individual claims benefits, the individual has been
21 unemployed for a waiting period of one week; and

22 (5) The individual has, during the individual's base period, earned wages for insured
23 work equal to or not less than the minimum amount required for benefit
24 entitlement in § 61-6-4.

25 **Section 2. That a NEW SECTION be added to chapter 61-6:**

1 An action is an acceptable work search action in compliance with the requirement
2 of subdivision 61-6-1(3) if it consists of one or more of the following actions in any week,
3 except that in the third week of benefit eligibility and during every subsequent week, at
4 least four of the five required work search actions must be actions provided in subdivisions
5 7 to 10 of this section:

6 (1) Completing an online or in-person job search workshop;

7 (2) Completing a job search assessment, including a personality, skills, or interests
8 assessment;

9 (3) Completing career direction research or work;

10 (4) Completing job search branding and marketing activities;

11 (5) Completing an online or in-person mock interview;

12 (6) Taking a civil service exam;

13 (7) Submitting a resume to an employer;

14 (8) Completing and submitting a job application to an employer;

15 (9) Attending and completing an interview or skills test with an employer; and

16 (10) Attending a job fair.