



2024 South Dakota Legislature

House Bill 1221

Introduced by: **Representative** Krohmer

1 **An Act to enhance right to work laws and provide a penalty therefor.**

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

3 **Section 1. That chapter 60-8 be amended with a NEW SECTION:**

4 Terms used in this Act mean:

5 (1) "Vaccination," the process of introducing a vaccine into the body for the purpose
6 of producing immunity to a specific disease other than:

7 (a) Diphtheria;

8 (b) Meningitis;

9 (c) Mumps;

10 (d) Pertussis;

11 (e) Poliomyelitis;

12 (f) Rubella;

13 (g) Rubeola;

14 (h) Tetanus; and

15 (i) Varicella; and

16 (2) "Vaccination passport," a physical or digital document providing evidence of
17 vaccinations received by a person.

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19 **Section 2. That chapter 60-8 be amended with a NEW SECTION:**

20 No person may be deprived of life, liberty, or property, without due process of law.

21 The right of any person to work may not be denied or abridged due to the person's
22 vaccination status.

23 A violation of this section is a Class 2 misdemeanor.

24 **Section 3. That chapter 60-8 be amended with a NEW SECTION:**

1 No person may require another to present a vaccine passport or other evidence of
2 vaccination status.

3 No person may use demands, force, threats, intimidation, or coercion, or impair
4 the present or future employment of another, in an attempt to require or enforce a
5 requirement regarding a vaccine passport or the presentation of other evidence of
6 vaccination status.

7 A violation of this section is a Class 2 misdemeanor.

8 **Section 4. That chapter 60-8 be amended with a NEW SECTION:**

9 No person may discriminate against another or engage in the differential treatment
10 of another due to the other's vaccination status.

11 A violation of this section is a Class 2 misdemeanor.

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13 **Section 5. That chapter 60-8 be amended with a NEW SECTION:**

14 Sections 2 through 4, inclusive, of this Act are applicable to every public and
15 private:

16 (1) Institution of higher education;

17 (2) Technical college;

18 (3) Elementary or secondary school; and

19 (4) Preschool program.

20 **Section 6. That chapter 60-4 be amended with a NEW SECTION:**

21 Any person aggrieved by an action prohibited under sections 2 through 4, inclusive
22 of this Act, may bring a civil suit for damages in circuit court and may sue for all wages
23 and benefits that would have accrued, up to and including the date of the judgment.