



2025 South Dakota Legislature

House Bill 1166

Introduced by: **Representative Randolph**

1 **An Act to enhance penalties for the violation of right-to-work statutes and to provide**
 2 **a penalty therefor.**

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

4 **Section 1. That § 60-8-6 be AMENDED:**

5 ~~Any~~ An individual is guilty of a Class 6 felony if the individual makes a solicitation
 6 or request to join a labor union, organization made by any person, or association to any
 7 an employee, accompanied by threats a credible threat of injury to the employee or
 8 members a member of the employee's family, ~~or damage.~~

9 An individual is guilty of a Class 2 misdemeanor if the individual makes a solicitation
 10 or request to join a labor union, organization, or association to an employee, accompanied
 11 by a credible threat of:

12 (1) Damage to property, of the employee; ~~or loss~~

13 (2) Loss or impairment of present or future employment of the employee; ~~is a Class 2~~
 14 ~~misdemeanor.~~

15 For the purposes of this section, the term "credible threat" means a threat made
 16 with the intent and the apparent ability to carry out the threat. A credible threat need not
 17 be expressed verbally.

18 **Section 2. That § 60-9-7 be AMENDED:**

19 **60-9-7.** ~~No~~ An officer, agent, or employee of any a public or private labor union,
 20 association, or organization may not enter, without the consent of the owner or operator
 21 employer, in or upon any ranch, farm, feed yard, shearing plant, or other agricultural
 22 premise any work premises, for the purpose of collecting:

23 (1) Collecting dues, fines, or assessments; ~~or to solicit;~~

24 (2) Soliciting membership in any union, or a labor union, association, or
 25 organization;

1 ~~(3) Ordering or promote any promoting a strike, or in any other way interfere; or~~
 2 ~~(4) Interfering in any other way with the activities of any a person employed on such~~
 3 ~~premises or assigned to the work premises.~~

4 ~~Violation~~ A violation of this section is a Class 2 misdemeanor.

5 **Section 3. That § 60-10-4 be AMENDED:**

6 **60-10-4.** No person shall picket, aid in the picketing of, or order to be picketed,
 7 the home of any employee ~~or worker on any ranch, farm, feed yard, shearing plant, or~~
 8 ~~other agricultural premise.~~

9 ~~Violation~~ A violation of this section is a Class 2 misdemeanor.

10 **Section 4. That § 60-10-10 be AMENDED:**

11 **60-10-10.** It is a ~~Class 2 misdemeanor~~ Class 6 felony for ~~any a~~ person, ~~singly~~
 12 alone or in concert with others, to interfere or attempt to interfere with another person in
 13 the exercise of ~~his~~ the person's right to work or ~~of his right~~ to enter upon the performance
 14 of any lawful employment or vocation, by the use of force, ~~threatening acts,~~ violence, or
 15 acts of intimidation.

16 **Section 5. That § 60-10-11 be AMENDED:**

17 **60-10-11.** It is a ~~Class 2 misdemeanor~~ Class 6 felony for ~~any a~~ person, alone or
 18 in concert with others, to engage in picketing by force or violence, ~~or.~~

19 It is a Class 2 misdemeanor to picket, alone or in concert with others, ~~in such a~~
 20 manner as to obstruct or interfere with free ingress or egress to and from ~~any a~~ premises,
 21 or to obstruct or interfere with the free use of public streets, sidewalks, or other public
 22 ways.

23 **Section 6. That § 60-10-12 be AMENDED:**

24 **60-10-12.** It is a ~~Class 2 misdemeanor~~ Class 6 felony for ~~any a~~ person ~~or group~~
 25 of persons, employee or employees, or any labor union, association or organization, to
 26 use or engage in, or threaten to use or engage in, violence, or intimidation ~~or unlawful~~
 27 ~~destruction or seizure of property in:~~

28 (1) In connection with a labor dispute or as a means of forcing settlement of a labor
 29 dispute involving ~~any an~~ employer, ~~or in;~~

1 (2) In connection with any an organizational activity of a labor union, organization, or
2 association among the employees of any employer, or for;

3 (3) For the purpose of compelling any a person to join or become a member of a labor
4 union, organization, or association; or

5 (4) As retaliation for not being a member of a labor union, organization, or association.

6 **Section 7. That a NEW SECTION be added to chapter 60-10:**

7 It is a Class 1 misdemeanor for a person to use or engage in the unlawful
8 destruction or seizure of property:

9 (1) In connection with a labor dispute or as a means of forcing settlement of a labor
10 dispute involving an employer;

11 (2) In connection with an organizational activity of a labor union, organization, or
12 association among the employees of any employer; or

13 (3) For the purpose of compelling a person to join or become a member of a labor
14 union, organization, or association.

15 **Section 8. That § 60-9-8 be REPEALED.**

16 ~~No person may solicit or accept any money, or other thing of value, for services~~
17 ~~rendered, claimed to have been rendered, or promised, to any employer of the class~~
18 ~~mentioned in § 60-9-7, by reason of the labor union connection or association of the~~
19 ~~person. Violation of this section is a Class 2 misdemeanor.~~