

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

400Q0092

## HOUSE BILL NO. 1027

Introduced by: The Committee on Commerce at the request of the Department of Revenue  
and Regulation

1 FOR AN ACT ENTITLED, An Act to provide for certain employer insurance assistance  
2 programs.

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

4 Section 1. That chapter 58-33 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 For purposes of this Act, the term, employer insurance assistance program, means a service,  
7 which is directly related to insurance purchased by an employer, that enhances that employer's  
8 ability to purchase insurance or assists in the administration of any insurance purchased by the  
9 employer.

10 Section 2. That chapter 58-33 be amended by adding thereto a NEW SECTION to read as  
11 follows:

12 Nothing in § 58-33-14 or 58-33-24 may be construed to prohibit the offering of an employer  
13 insurance assistance program by an insurance agent or an insurer to an employer if the employer  
14 insurance assistance program complies with this Act.

15 Section 3. That chapter 58-33 be amended by adding thereto a NEW SECTION to read as



1 follows:

2 No employer insurance assistance program may be offered by an agent unless the program  
3 is specified in writing to the employer. The employer assistance program may not consist of any  
4 monetary payments made to the employer or made on behalf of the employer for the purchase  
5 of insurance or any other goods or services.

6 Section 4. That chapter 58-33 be amended by adding thereto a NEW SECTION to read as  
7 follows:

8 The director may promulgate rules pursuant to chapter 1-26 to establish standards for  
9 employer insurance assistance programs consistent with the provisions of this Act. The rules  
10 shall be limited to:

- 11 (1) Definition of terms;
- 12 (2) Employer insurance assistance program content and marketing; and
- 13 (3) Exceptions.