

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

358A0478

HOUSE BILL NO. 1065

Introduced by: Representatives Hagg, Brosz, Cutler, de Hueck, Derby, Hunt, and Madden and
Senators Rounds, Everist, Halverson, and Shoener

1 FOR AN ACT ENTITLED, An Act to increase the minimum wage and to declare an emergency.

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

3 Section 1. That § 60-11-3 be amended to read as follows:

4 60-11-3. Every employer shall pay to each ~~of his employees~~ employee who has reached the
5 age of eighteen years, wages at a rate of not less than four dollars and ~~twenty-five~~ seventy-five
6 cents an hour. Violation of this section is a Class 2 misdemeanor.

7 The provisions of this section do not apply to babysitters or outside salesmen.

8 Section 2. That § 60-11-3 be amended to read as follows:

9 60-11-3. Every employer shall pay to each ~~of his employees~~ employee who has reached the
10 age of eighteen years, wages at a rate of not less than ~~four~~ five dollars and ~~twenty-five~~ fifteen
11 cents an hour. Violation of this section is a Class 2 misdemeanor.

12 The provisions of this section do not apply to babysitters or outside salesmen.

13 Section 3. That § 60-11-3.1 be amended to read as follows:

14 60-11-3.1. Tips or other considerations received by a tipped employee may be credited by
15 the employer toward the minimum wage provided in § 60-11-3 up to a maximum of ~~fifty percent~~

1 ~~of the required minimum wage~~ two dollars and thirteen cents an hour.

2 A "tipped employee" is one engaged in an occupation in which ~~he~~ the employee customarily
3 and regularly receives more than thirty-five dollars a month in tips or other considerations.

4 This section does not apply to babysitters or outside salesmen.

5 Section 4. The provisions of section 2 of this Act are effective on September 1, 1997.

6 Section 5. Whereas, this Act is necessary for the immediate preservation of the public peace,
7 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and
8 effect from and after April 1, 1997.