Chapter 27

(Senate Bill 115)

An Act to prevent a county, township, or municipality from authorizing a guaranteed income program.

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

Section 1. That chapter 7-18A be amended with a NEW SECTION:

A county may not adopt, enforce, or maintain an ordinance, order, or rule for the purpose of making payments to an individual under a guaranteed income program. If a county fails to comply with the order, the attorney general must bring an action in the name of the state for injunctive relief against a county that has adopted an ordinance, order, rule, or program in violation of this section.

For the purposes of this section, the term "guaranteed income program" means a plan funded or administered by the government under which an individual is provided with regular, unconditional cash payments to be used for any purpose by the individual. The term does not include a program under which an individual is required to seek reemployment as a condition of any payments, perform work, or attend training.

Section 2. That chapter 8-5 be amended with a NEW SECTION:

A township may not adopt, enforce, or maintain an ordinance, order, or rule for the purpose of making payments to an individual under a guaranteed income program. If a township fails to comply with the order, the attorney general must bring an action in the name of the state for injunctive relief against a township that has adopted an ordinance, order, rule, or program in violation of this section.

For the purposes of this section, the term "guaranteed income program" means a plan funded or administered by the government under which an individual is provided with regular, unconditional cash payments to be used for any purpose by the individual. The term does not include a program under which an individual is required to seek reemployment as a condition of any payments, perform work, or attend training.

Section 3. That chapter 9-19 be amended with a NEW SECTION:

A municipality may not adopt, enforce, or maintain an ordinance, order, or rule for the purpose of making payments to an individual under a guaranteed income program. If a municipality fails to comply with the order, the attorney general must bring an action in the name of the state for injunctive relief against a municipality that has adopted an ordinance, order, rule, or program in violation of this section.

For the purposes of this section, the term "guaranteed income program" means a plan funded or administered by the government under which an individual is provided with regular, unconditional cash payments to be used for any purpose by the individual. The term does not include a program under which an individual is required to seek reemployment as a condition of any payments, perform work, or attend training.

Signed March 6, 2024
