

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

850Y0163

HOUSE ENGROSSED NO. **HB 1052** - 2/8/2017

Introduced by: Representatives Haggar, DiSanto, Latterell, and Rhoden and Senators Curd, Ewing, Langer, Netherton, and Novstrup

1 FOR AN ACT ENTITLED, An Act to provide certain protections for public employees.

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

3 Section 1. That the code be amended by adding a NEW SECTION to read:

4 No department, bureau, board, or commission of the state or any of its political subdivisions
5 may dismiss, suspend from employment, demote, decrease the compensation of, or take any
6 other retaliatory action against an employee because the employee reports in good faith to an
7 appropriate authority a violation or suspected violation of a law or rule, an abuse of funds or
8 abuse of authority, or substantial and specific danger to public health or safety, unless the report
9 is specifically prohibited by law. The provisions of this section do not apply to any employee
10 who knows the report is false or was made in a reckless disregard for the truth.

11 Section 2. That the code be amended by adding a NEW SECTION to read:

12 No state government employer may discharge, discipline, threaten, or otherwise retaliate
13 against an employee regarding the employee's compensation, terms, conditions, location, or
14 privileges of employment because:

15 (1) The employee communicates information that he or she believes, in good faith, to be



- 1 truthful or accurate and relates to local or state services, including the financing of
2 local or state services, to:
- 3 (a) A legislator or a legislative auditor; or
 - 4 (b) A constitutional officer.