



## 2024 South Dakota Legislature

# Senate Bill 145

Introduced by: **Senator Nesiba**

1 **An Act to modify the amount of time to report an injury for workers' compensation.**

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

3 **Section 1. That § 62-7-10 be AMENDED:**

4 **62-7-10.** An employee who claims compensation for an injury ~~shall immediately,~~  
 5 ~~or as soon thereafter as practical,~~ notify the employer of the occurrence of the injury.  
 6 Written must provide written notice of the injury ~~shall be provided~~ to the employer no  
 7 later than ~~three~~ fifteen business days after its occurrence. The notice need not be in any  
 8 particular form but must advise the employer of when, where, and how the injury  
 9 occurred. Failure to give notice as required by this section prohibits a claim for  
 10 compensation under this title unless the employee or the employee's representative can  
 11 show:

- 12 (1) The employer or the employer's representative had actual knowledge of the injury;  
 13 or  
 14 (2) The employer was given written notice after the date of the injury and the  
 15 employee had good cause for failing to give written notice within the ~~three~~ fifteen  
 16 business-day period, ~~which~~ The good cause determination ~~shall~~ must be liberally  
 17 construed in favor of the employee.