

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

400T0360

## SENATE BILL NO. 21

Introduced by: The Committee on Health and Human Services at the request of the  
Department of Human Services

1 FOR AN ACT ENTITLED, An Act to repeal and revise certain outdated provisions relating to  
2 the Department of Human Services.

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

4 Section 1. That § 1-36A-8 be repealed.

5 ~~— 1-36A-8. The Department of Human Services shall, under the direction and control of the~~  
6 ~~secretary of human services, perform all administrative functions except special budgetary~~  
7 ~~functions (as defined in § 1-32-1) of the advisory committee on employment of people with~~  
8 ~~disabilities, created by chapter 60-7.~~

9 Section 2. That § 1-36A-10 be repealed.

10 ~~— 1-36A-10. The Board of Vocational Rehabilitation may promulgate rules for the Division~~  
11 ~~of Rehabilitation Services in accordance with chapter 1-26 except for those functions reserved~~  
12 ~~to the Department of Human Services by §§ 28-9-40 and 28-9-44. The board may advise the~~  
13 ~~director of rehabilitation services in the development of state plans, policy related to the~~  
14 ~~expenditure of federal and state funds and the coordination of planning and service delivery to~~  
15 ~~individuals involved in vocational rehabilitation and independent living services. The board may~~



1 ~~serve as an advocate for all individuals, with disabilities, needing vocational rehabilitation and~~  
2 ~~independent living services within the state. The board may prepare an annual written report to~~  
3 ~~the Governor.~~

4 Section 3. That § 28-9-48 be repealed.

5 ~~— 28-9-48. The Governor's Advisory Committee on Employment of People with Disabilities~~  
6 ~~shall promote and solicit employment opportunities for qualified individuals with disabilities~~  
7 ~~and conduct a public education program concerning the abilities of people with disabilities to~~  
8 ~~live independently.~~

9 Section 4. That § 28-9-49 be repealed.

10 ~~— 28-9-49. The committee is hereby authorized to accept any private contributions or public~~  
11 ~~funds to assist in promoting the activities of this committee in carrying out its purpose.~~

12 Section 5. That § 28-10-11 be amended to read as follows:

13 28-10-11. Except as otherwise provided by law or as specified in the state plan agreement  
14 with the federal government, the following rehabilitation services shall be provided to  
15 individuals with a visual disabilities impairment based upon their economic need:

- 16 (1) Physical restoration;
- 17 (2) Transportation not provided to determine the eligibility of the individual for  
18 vocational rehabilitation services and the nature and extent of the services necessary;
- 19 (3) Occupational licenses;
- 20 (4) Customary occupational tools and equipment, excluding computer-related assistive  
21 technology devices needed to overcome visual disability as an impediment to  
22 employment for competitive employment purposes;
- 23 (5) Maintenance;
- 24 (6) Training books and materials; and

- 1       (7)    Tuition and fees for participating in postsecondary academic training programs under
- 2            the Federal Student Financial Assistance Program.