



2024 South Dakota Legislature  
**Senate Bill 41**  
**ENROLLED**

AN ACT

**ENTITLED An Act to modify an administrative procedure for revoking a nonresponsive insurance producer's license.**

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

**Section 1. That chapter 58-30 be amended with a NEW SECTION:**

If the director has reasonable evidence that a licensed insurance producer has violated any provision of this title and the licensed producer has also violated subdivision 58-33-66(1) for failing to respond to division inquiries regarding the same, the director may, after sufficient notice, revoke the producer's license by an order of the director without a hearing. An order under this section must include the applicable provisions of § 58-4-16 and chapter 1-26 for final agency decisions and must be accompanied by exhibits demonstrating the alleged violations.

For purposes of this section, the term "sufficient notice" means:

- (1) The producer is provided notice of the alleged violations at the producer's last reported mailing address on file with the director; and
- (2) The producer is provided a second notice at the producer's last reported mailing address on file with the director stating the producer is in violation of § 58-33-66 and must respond to avoid administrative action by the division.

**Section 2. That chapter 58-30 be amended with a NEW SECTION:**

An order under section 1 of this Act must allow sixty days for the producer to request a hearing in writing. If a timely request for hearing is received, the director shall issue a notice of hearing within thirty days. The office of hearing examiners shall hold the hearing, review the director's order with the evidence presented at hearing, and issue a proposed decision. If a producer does not timely request a hearing, the director's order revoking the license becomes the final agency decision pursuant to § 1-26-25.

An Act to modify an administrative procedure for revoking a nonresponsive insurance producer's license.

\_\_\_\_\_  
I certify that the attached Act originated in  
the:  
Senate as Bill No. 41

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_,  
2024 at \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of the Senate

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
President of the Senate

The attached Act is hereby  
approved this \_\_\_\_ day of  
\_\_\_\_\_, A.D., 2024

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
Speaker of the House

Attest:

Filed \_\_\_\_\_, 2024  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Secretary of State

Senate Bill No. 41  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State