



2025 South Dakota Legislature

Senate Bill 67

Introduced by: The Chair of the Committee on Commerce and Energy at the request of the Department of Labor and Regulation

1 **An Act to establish the state office of apprenticeship within the Department of Labor**
 2 **and Regulation.**

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

4 **Section 1. That a NEW SECTION be added to a NEW CHAPTER in title 60:**

5 Terms used in this Act mean:

6 (1) "Apprentice," a worker at least sixteen years of age, except where a higher
 7 minimum age standard is otherwise fixed by law, who is employed to learn an
 8 apprenticeable occupation under the standards of a registered apprenticeship
 9 program approved by the department;

10 (2) "Apprenticeable occupation," an occupation specified by an industry, which
 11 complies with 29 C.F.R. § 29.4 (January 1, 2025) and involves the progressive
 12 attainment of skills, competencies, and knowledge that are:

13 (a) Clearly identified and commonly recognized throughout the relevant
 14 industry or occupation;

15 (b) Customarily learned or enhanced in a practical way through a structured,
 16 systematic program of on-the-job, supervised learning and related
 17 instruction to supplement the learning; and

18 (c) Offered through a time-based, competency-based, or hybrid model that the
 19 department has determined meets the requirements of this Act, 29 C.F.R.
 20 §§ 29.1 to 29.14, inclusive, and 29 C.F.R. §§ 30.1 to 30.19, inclusive
 21 (January 1, 2025);

22 (3) "Apprenticeship agreement," a written agreement between an apprentice and
 23 either the apprentice's program sponsor or an apprenticeship committee acting as
 24 an agent for the program sponsor, which:

25 (a) Complies with 29 C.F.R. § 29.7 (January 1, 2025); and

- 1 (3) Contents of an apprenticeship agreement, as provided for in 29 C.F.R. § 29.7
2 (January 1, 2025);
- 3 (4) Procedures and requirements for the registration of a program and an apprentice,
4 as provided for in 29 C.F.R. § 29.5 (January 1, 2025);
- 5 (5) Procedures and methods for monitoring, as provided for in 29 C.F.R. §§ 29.1 to
6 29.14, inclusive (January 1, 2025);
- 7 (6) Outreach and education for a program, a sponsor, and an apprentice, as provided
8 for in 29 C.F.R. § 29.13 (January 1, 2025);
- 9 (7) Provision of technical assistance to a program, as provided for in 29 C.F.R. § 29.13
10 (January 1, 2025);
- 11 (8) Complaint procedures, as provided for in 29 C.F.R. §§ 29.12 and 30.14 (January
12 1, 2025);
- 13 (9) Procedures and requirements for the cancellation, deregistration, or reinstatement
14 of a registered apprenticeship program, as provided for in 29 C.F.R. §§ 29.8 and
15 29.9 (January 1, 2025);
- 16 (10) Procedures and requirements for the temporary suspension, cancellation, or
17 deregistration of an apprenticeship agreement, as provided for in 29 C.F.R. § 29.7
18 (January 1, 2025); and
- 19 (11) Establish and define the process for according reciprocal approval for federal
20 purposes to an apprentice, apprenticeship program, and standards that are
21 registered in other states by the United States Department of Labor or a
22 registration agency if reciprocity is requested by a sponsor, as provided for in 29
23 C.F.R. § 29.13 (January 1, 2025).

24 **Section 4.** This Act is effective on the date the United States Department of Labor Office of
25 Apprenticeship formally recognizes the state apprenticeship agency established by this Act.
26 The department shall inform the Legislative Research Council of the formal recognition.