

# 2025 Title Summaries

## Title 1

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This memorandum summarizes 2025 legislation codified in SDCL Title 1 – **State Affairs and Government**.

[HB 1051](#) updates general processes and provisions related to administrative rulemaking and reverts the responsibility for staffing the rules oversight function from the Director of the Legislative Research Council back to the Code Counsel, as was the case prior to 1989.

[HB 1059](#) defines a public body as the state, and any association, authority, board, municipality, commission, committee, council, county, school district, task force, town, township, or other local governmental entity, which is created by statute, ordinance, or resolution, and is vested with the authority to exercise any sovereign power derived from state law. The bill clarifies that, for purposes of open meeting requirements, an official meeting of a public body by teleconference or other electronic means includes electronic mail, instant messaging, social media, text message, or virtual meeting platform.

[SB 10](#) provides that any record of the Governor or the lieutenant governor, which is otherwise exempt from the open records provisions, must be opened to the public upon the death of, or five years after, the individual left office, whichever occurs later.

[SB 34](#) reconciles cross references regarding the transfer of certain functions regarding range and forest fire management from the Department of Agriculture and Natural Resources to the Department of Public Safety.

[SB 40](#) transfers certain functions from the Aeronautics Commission to the Department of Transportation.

[SB 60](#) requires that the state auditor employ a qualified individual to monitor the state accounting system. The bill authorizes the state auditor to access all digital and onsite accounts, books, records, reports, and vouchers of every state agency, including the Board of Regents and the South Dakota Board of Technical Education, as necessary for investigating financial receipt and expenditure transactions, identifying improper governmental conduct, and ensuring effective internal financial controls are in place and maintained.

[SB 61](#) modifies the composition and the authority of the State Board of Internal Control, clarifies the responsibilities of the internal control officer employed by a state agency, and requires that each state agency conduct an annual review of the agency's documented risk and control matrix to assess the adequacy and effectiveness of the agency's internal controls and risk mitigation strategies.

[SB 62](#) establishes mandatory reporting requirements for state employees and their supervisors, if improper governmental conduct or a crime is reasonably suspected.

**SB 74** requires that the attorney general publish an explanation of the open meeting laws on the attorney general's website and further requires that each agency and political subdivision annually review the explanation during an official meeting.

**SB 143** revises the composition of the South Dakota-Ireland Trade Commission and transfers the responsibility for providing administrative services from the Department of Agriculture and Natural Resources to the Legislative Research Council.

**SB 145** requires legislative authorization before the Bureau of Human Resources and Administration may enter into a long-term lease, which is defined as a commitment in excess of 15 years and a base rent in excess of either \$5,000,000 during the term of the lease or \$50,000 per month.

# 2025 Title Summaries

## Title 2

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This memorandum summarizes 2025 legislation codified in SDCL Title 2 – **Legislature and Statutes**.

[HB 1041](#) reconciles references necessitated by the elimination of the State Library Board.

[HB 1049](#) updates the delineation of the official code of laws of the State of South Dakota to include the 2024 revision of volume 16 and volume 18.

[HB 1063](#) requires the Legislative Research Council to prepare an updated fiscal note for an initiated measure, an initiated amendment to the South Dakota Constitution, or a law referred to a vote of the people, if the original fiscal note is no longer substantially accurate because of changes to the state budget or other state law, or because of other factors.

[HB 1067](#) defines the term "must" as a mandatory directive.

[HB 1100](#) clarifies that the Legislative Research Council must, in its annual report addressing any opinion of the South Dakota Supreme Court or a federal court, recommend any change or note any deficiency or ambiguity in a statute.

[HB 1184](#) changes the deadline for filing a petition to initiate an amendment to the South Dakota Constitution and for an initiated measure from the first Tuesday of May in the election year to the first Tuesday of February in the election year.

[HB 1216](#) modernizes references and repeals obsolete provisions related to the Legislative Research Council.

[HB 1256](#) requires that an individual who signs a petition to initiate a constitutional amendment or a measure, or to refer a law to a vote of the people, provide the same address that the individual used when registering as a voter. The bill allows the secretary of state to disqualify any signature if the address provided is not substantially the same.

[SB 60](#) requires that the state auditor employ a qualified individual to monitor the state accounting system. The bill authorizes the state auditor to access all digital and onsite accounts, books, records, reports, and vouchers of every state agency, including the Board of Regents and the South Dakota Board of Technical Education, as necessary for investigating financial receipt and expenditure transactions, identifying improper governmental conduct, and ensuring effective internal financial controls are in place and maintained.

**SB 91** requires that certain information provided on a petition for an initiated amendment, for an initiated measure, or to refer a law must be in fourteen-point font. The bill also requires that the petition contain any fiscal note prepared for the amendment, measure, or law, and that the title of the amendment, measure, or law be shown on both sides of a petition sheet.

**SB 106** requires that an individual be registered as a voter of this state before the individual may sponsor a petition for a ballot question.

**SB 176** transfers the administrative responsibilities for the Government Operations and Audit Committee from the Department of Legislative Audit to the Legislative Research Council and allows the committee to implement the same discovery and deposition procedures as allowed in a civil action, appoint an individual to conduct an investigation on behalf of the committee, and issue a subpoena without ratification by the Executive Board of the Legislative Research Council.

# 2025 Title Summaries

## Title 3

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This memorandum summarizes 2025 legislation codified in SDCL Title 3 – **Public Officers and Employees**.

[HB 1029](#) updates provisions governing the South Dakota Retirement System.

[HB 1030](#) defines "member information" for purposes of the South Dakota Retirement System and limits the circumstances under which such information may be disclosed.

[HB 1031](#) removes the requirement that a copy of a driver license or other picture identification card must accompany an individual's application for membership in the state retirement system, an application for a refund of accumulated contributions, or an application for any benefit.

[HB 1032](#) updates a statutory reference to the Internal Revenue Code for purposes of statutes related to the South Dakota Retirement System.

[HB 1216](#) modernizes references and repeals obsolete provisions related to the Legislative Research Council.

[SB 62](#) establishes mandatory reporting requirements for state employees and their supervisors. The bill requires a state employee to make a good faith report if improper governmental conduct or a crime is reasonably suspected. Upon receipt of the state employee's good faith report, the supervisor is required to notify the attorney general and auditor-general, and submit any applicable record, in accordance with a written policy that the bill requires each agency to adopt. The bill also provides that a supervisor who knowingly fails to make a required report or intentionally fails to submit a required record is guilty of a Class 1 misdemeanor.

[SB 63](#) protects state employees who make good faith reports of improper governmental conduct or crime from liability and retaliation. The bill establishes a civil cause of action and available remedies for a state employee subjected to retaliation by a supervisor. An exception to eligibility for protection is provided for a state employee who makes a report knowing it is false or who makes a report in reckless disregard for the truth.

[SB 84](#) extends the timeframe for filling a vacancy on a board of county commissioners to the later of thirty-five days or the conclusion of the second regular meeting after the vacancy occurs.

# 2025 Title Summaries

## Title 4

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This memorandum summarizes 2025 legislation codified in SDCL Title 4 – **Public Fiscal Administration**.

[\*\*HB 1036\*\*](#) provides that if in any fiscal year the combined balance of the budget reserve fund and the general revenue replacement fund is less than 10 percent of the general fund appropriations for the succeeding fiscal year, the Legislature must transfer, from the general fund to the budget reserve fund, over the next three fiscal years, 1/3 of the amount below such level, to achieve the requisite combined balance.

[\*\*HB 1216\*\*](#) modernizes references and repeals obsolete provisions related to the Legislative Research Council.

[\*\*SB 29\*\*](#) increases, from \$175,000 to \$200,000, the amount to be transferred, at the end of each fiscal quarter, from the insurance operating fund to the general fund.

[\*\*SB 60\*\*](#) requires the Bureau of Finance and Management to make records and information available, at all times, to the state auditor, in addition to the Legislature and its designees.

[\*\*SB 146\*\*](#) provides that any transfer of appropriations made in the general appropriation bill requires approval by an agency head or designee and approval by the Bureau of Finance and Management, but allows for transfers within an agency budget unit or between budget units within an agency. Transfers between budget units within an agency, on an ongoing basis, or between agencies, on a one-time or ongoing basis, must be approved by the special committee. Transfers between institutions under the control of the Board of Regents must be approved by the special committee.

# 2025 Title Summaries

## Title 5

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This memorandum summarizes 2025 legislation codified in SDCL Title 5 – **Public Property, Purchases, and Contracts**.

[SB 66](#) requires the Bureau of Human Resources and Administration to supervise state building projects valued at \$2,000,000 or more, unless supervisory authority is delegated, in writing, to a firm or a qualified designee. The bill replaces the Office of the State Engineer with the Bureau of Human Resources and Administration as the agency, which, along with the architect and building owner, must identify all components of new construction used to satisfy the state's green building standard. The bill also transfers authority to grant a waiver of the green building standard from the Office of the State Engineer to the Bureau of Human Resources and Administration.

# 2025 Title Summaries

## Title 6

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No 2025 legislation was codified in SDCL Title 6 – **Local Government Generally**.



# 2025 Title Summaries

## Title 7

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This memorandum summarizes 2025 legislation codified in SDCL Title 7 – **Counties**.

**HB 1218** prohibits a county, as well as a township, and a municipality from adopting a policy or using other means to restrict the lawful possession of a concealed firearm by an employee, officer, or volunteer, while the individual is within any county building, facility, or vehicle, or while on any real property, owned or leased by the county. Exceptions are provided in the case of an inmate, an individual present in the secure area of a detention facility, a mental health crisis center, or a residential treatment facility, and an individual transporting another in accordance with a mental health apprehension under chapter 27A-10.

**SB 5** allows a sheriff to charge and remit no more than \$50 for any process submitted to be served, whether or not service is completed.

**SB 13** amends the process by which an ordinance or resolution is initiated by removing the requirement that the board of county commissioners enact the proposed ordinance or resolution before referring the ordinance or resolution to the voters. The bill also clarifies that, after approval by the voters, an ordinance or resolution initiated by or referred to the voters takes effect on the day following the canvassing of the election returns.

# 2025 Title Summaries

## Title 8

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This memorandum summarizes 2025 legislation codified in SDCL Title 8 – **Townships**.

[\*\*HB 1218\*\*](#) prohibits a township, as well as a county, and a municipality from adopting a policy or using other means to restrict the lawful possession of a concealed firearm by an employee, officer, or volunteer, while the individual is within any county building, facility, or vehicle, or while on any real property, owned or leased by the county. Exceptions are provided in the case of an inmate, an individual present in the secure area of a detention facility, a mental health crisis center, or a residential treatment facility, and an individual transporting another in accordance with a mental health apprehension under chapter 27A-10.

# 2025 Title Summaries

## Title 9

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This memorandum summarizes 2025 legislation codified in SDCL Title 9 – **Municipal Government**.

[HB 1130](#) requires all regular elections for municipal office to be held on either the first Tuesday after the first Monday in June or the first Tuesday after the first Monday in November. In even-numbered years, the regular municipal election must be held in conjunction with the primary or general election.

[HB 1218](#) prohibits a municipality, as well as a county, and a township from adopting a policy or using other means to restrict the lawful possession of a concealed firearm by an employee, officer, or volunteer, while the individual is within any county building, facility, or vehicle, or while on any real property, owned or leased by the county. Exceptions are provided in the case of an inmate, an individual present in the secure area of a detention facility, a mental health crisis center, or a residential treatment facility, and an individual transporting another in accordance with a mental health apprehension under chapter 27A-10. An exception is also provided in the case of an event occurring within a building or facility if metal detectors and armed security personnel are utilized.

[SB 13](#) clarifies that, after approval by the voters, an ordinance or resolution initiated by or referred to the voters takes effect on the day following the canvassing of the election returns.

[SB 97](#) authorizes the governing body of a first or second class municipality to change by ordinance the use of land obtained for parks, parkways, and boulevards, provided the authorized use is for a public purpose.

[SB 128](#) requires that a municipally designated official newspaper must be published in the municipality and if no newspaper is so published, the municipality may designate a paper published in the county, and thereafter in an adjoining county.

[SB 167](#) updates chapters 9-6 through 9-12 for purposes of clarity, form, and style. The bill revises provisions related to the dissolution of municipalities having a population of less than two hundred fifty. The bill revises provisions related to the temporary absence or temporary incapacitation of a mayor or commissioner. The bill includes revisions addressing municipal boards of trustees, aldermanic and commissioner forms of government, and city managers. The bill also increases from \$500 to \$2,000 the lease amount necessitating a governing body's adoption of a resolution to enter into a lease of municipally owned property.

# 2025 Title Summaries

## Title 10

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This memorandum summarizes 2025 legislation codified in SDCL Title 10 – **Taxation**.

[HB 1027](#) repeals an obsolete chapter requiring remote sellers to notify consumers that certain sales may be subject to use tax.

[HB 1028](#) updates statutory references to the Internal Revenue Code.

[HB 1037](#) suspends through June 30, 2028, an entitlement to a sales tax credit as compensation for the expense of collecting and submitting a tax.

[HB 1143](#) requires that a director of equalization, when assessing agricultural property, adjust the agricultural income value of the property to reflect the presence of certain factors that negatively affect the productivity of the property, according to the director's determination.

[HB 1194](#) requires each county to have an office of county director of equalization. This bill authorizes two or more counties to enter into an agreement for the performance of services related to the office.

[HB 1245](#) exempts from the state sales and use tax payments for certain services rendered to a partnership.

[SB 42](#) provides that, for purposes of taxation, the "wholesale purchase price" of tobacco products is the amount paid by the licensed distributor or wholesaler for the product, exclusive of any discount or other reduction.

[SB 43](#) lengthens the timeframe within which a remote seller or marketplace provider must register and begin remitting sales tax.

[SB 44](#) updates income schedules used to determine the amount of property tax relief granted to elderly and disabled property owners.

[SB 54](#) reduces from \$5,000,000 to \$2,000,000 the amount of cigarette tax revenue to be deposited in the tobacco prevention and reduction trust fund and redirects the amount for deposit into the general fund.

[SB 55](#) revises the maximum general fund mill levy that a school district may impose on real property.

[SB 90](#) includes county claims and county liens in the list of liabilities that apply to a tax deed and the proceeds of a tax deed sale for property with delinquent taxes.

**SB 131** reconciles cross references resulting from the statutory directive to establish an electronic title and registration system applicable to motor vehicles, boats, snowmobiles, manufactured and mobile homes, commercial motor vehicles, and fleet vehicles and fleets.

**SB 216** limits the increase in the total assessed value of owner-occupied property in a county to three percent, while still requiring that the median assessment to sales ratio be at least 85 percent. The bill limits to three percent the permitted increase in property tax revenues for taxing districts resulting from development within the district, and excludes certain development from the calculation of the permitted increase. The bill increases the income threshold and assessment threshold to qualify for a property tax assessment freeze. The bill also allows the board of every school district to impose an excess tax levy for the district's capital outlay fund.

# 2025 Title Summaries

## Title 11

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This memorandum summarizes 2025 legislation codified in SDCL Title 11 – **Planning, Zoning, and Housing Programs**.

[\*\*SB 6\*\*](#) allows the South Dakota Housing Development Authority to provide an interest-free loan, not exceeding \$15,000,000, to a school district that adjoins a federal military installation, for the purpose of constructing or expanding a school building.

# 2025 Title Summaries

## Title 12

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This memorandum summarizes 2025 legislation codified in SDCL Title 12 – **Elections**.

[HB 1062](#) requires that a county auditor create a digital county voter registration file on the day before a primary or general election. The bill requires the secretary of state to update the statewide voter registration file weekly, and requires both the secretary of state and each county auditor to maintain an archive of the updates to the voter registration files for five years. Each voter registration file must be open to public inspection, at no cost. The bill prohibits the state from selling any information contained in the statewide voter registration file.

[HB 1063](#) requires that an initiated constitutional amendment, constitutional amendment proposed by the Legislature, initiated measure, or law referred to the vote of the people be printed on a ballot that includes the most recent fiscal note prepared by the Legislative Research Council, along with the attorney general's explanation of the amendment or law.

[HB 1066](#) defines a resident, for the purpose of registering to vote, as an individual who maintains an actual fixed permanent dwelling, establishment, or other abode where the individual lives and usually sleeps for at least thirty consecutive days.

[HB 1126](#) allows the governing body of a political subdivision to set the compensation for certain members of a recount board and allows a member of the recount board to receive reimbursement for all miles traveled each day in connection with a recount.

[HB 1127](#) requires that a county auditor send a copy of the notice for a county's canvass, post-election audit, or testing of tabulating equipment to the secretary of state for posting on the secretary's website.

[HB 1164](#) changes the process by which an individual is nominated as a candidate for lieutenant governor by allowing a nominated candidate for governor to nominate the candidate for lieutenant governor.

[HB 1208](#) restricts the offices for which an individual may vote in an election held in this state if the individual applies to register as a voter or applies to vote by absentee ballot and uses only the address of a commercial mail receiving agency, mail forwarding service, or other post office box as the individual's residence address, without providing a description of the location of the individual's habitation.

[HB 1256](#) requires that an individual who signs a petition to nominate a candidate for office supply the same address that the individual used when registering as a voter. The bill allows the secretary of state to disqualify any signature if the provided address is not substantially the same.

**HB 1264** requires a political committee established in this state to include the outstanding balance of each loan received on the committee's campaign finance disclosure report.

**SB 12** includes loans in the limit of money that a political committee established in this state may receive from an individual or organization.

**SB 17** requires all candidates for legislative or county office to file a pre-primary campaign finance report, regardless of whether the candidate is running in a contested race.

**SB 68** requires that an individual be a United States citizen before being eligible to vote in any election held in this state and amends certain penalties for crimes related to voting.

**SB 89** repeals the requirement that judicial officers be listed on a separate ballot.

**SB 92** requires that the director of the Legislative Research Council and the secretary of state review each proposed initiated measure and initiated amendment to determine if the measure embraces more than one subject.

**SB 164** prohibits a person from disseminating a deepfake or entering into a contract to disseminate a deepfake with the intent to injure a candidate, within ninety days of an election, if the person knows or reasonably should know that the item being disseminated is a deepfake. The bill provides exceptions for satire, parody, radio or television broadcasters, cable or satellite television operators, internet websites and periodicals, and internet providers. The bill allows the attorney general or a candidate who is injured or likely to be injured by the deepfake to seek injunctive or other equitable relief, subjects a person who disseminates a deepfake to civil liability, and establishes an affirmative defense if certain disclosure requirements are met.

**SB 173** revises the process by which a candidate for legislative office, in a legislative district that is comprised of more than one county, may request a recount. The request may be filed with the secretary of state, who must notify the auditor of each county having precincts included in the petition.

**SB 185** authorizes certain individuals to file an affidavit challenging the qualifications of a registered voter and provides the process for that challenge to be researched and resolved.



# 2025 Title Summaries

## Title 13

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This memorandum summarizes 2025 legislation codified in SDCL Title 13 – **Education**.

[HB 1001](#) updates statutory references to the Internal Revenue Code, for purposes of higher education savings plans.

[HB 1002](#) requires that all certified educators who are new to the profession, or who have recently moved into the state and applied for South Dakota certification, complete a three-credit-hour course in South Dakota Indian Studies.

[HB 1003](#) amends certain definitions in the state-aid-to-education funding formula by setting the "other revenue base amount" at \$0 and removing the alternative instruction adjustment from the definition of fall enrollment so that schools have an accurate count.

[HB 1004](#) requires the state to pay the tuition of a student who is placed in a residential treatment center that provides educational programming.

[HB 1016](#) amends a cross reference pertaining to pharmaceutical prescription requirements.

[HB 1039](#) provides that the Department of Education may not, after July 1, 2025, accept teachers or school counselors into a program that offers reimbursement for costs associated with earning National Board Certification.

[HB 1040](#) reduces the state's contribution to a subsidized high school dual credit program from 66.67 percent of the cost per credit to 50 percent of the cost per credit.

[HB 1068](#) permits a student who has enlisted in the South Dakota National Guard or in a branch of the armed forces to wear a sash, stole, or other military decoration at the student's graduation ceremony, if the decoration was provided by the National Guard or a branch of the armed forces for the purpose of being worn at the ceremony.

[HB 1093](#) provides that if an election on the question of a school board entering into an agreement or issuing capital outlay certificates is referred to the voters, the election must be held on the first Tuesday after the first Monday in March, June, or November. During an even-numbered year, if the election is held on the first Tuesday after the first Monday in either June or November, it must be held in conjunction with the primary or general election, respectively.

[\*\*HB 1130\*\*](#) provides that all regular elections for a seat on the board of a school district, as well as municipal elections, must be held on either the first Tuesday after the first Monday in June or the first Tuesday after the first Monday in November. In even-numbered years, the regular elections must be held in conjunction with the primary or the general election.

[\*\*HB 1222\*\*](#) provides that the statute which prohibits the carrying of a firearm on school property does not extend to an individual who holds a permit to carry a concealed pistol, if the individual is inside a motor vehicle, or outside a motor vehicle and securing a pistol in or retrieving a pistol from the vehicle.

[\*\*HB 1259\*\*](#) requires public schools, the state, and political subdivisions to designate multi-occupancy changing rooms, restrooms, and sleeping quarters as being for the exclusive use of females or males and provides for a cause of action if a member of the opposite sex was given permission to use the restroom or changing room, or if the school, state, or political subdivision failed to take reasonable steps to prohibit a member of the opposite sex from using the respective room. In the case of sleeping quarters, injunctive relief may be provided. Exceptions are authorized for individuals providing assistance or rendering aid, law enforcement officers and others acting in an official capacity, and custodial and maintenance workers.

[\*\*SB 55\*\*](#) modifies the state-aid-to-education funding formula by increasing the target teacher salary, increasing the allocation schedule for disabled students, and decreasing the maximum mill levy that a board may impose for the district's special education fund.

[\*\*SB 56\*\*](#) extends until July 1, 2040, the time by which savings from increases in local effort from agricultural property taxation for school districts are deposited in the general fund.

[\*\*SB 70\*\*](#) amends the maximum sparsity benefit that a sparse school district is eligible to receive each fiscal year from \$110,000 to \$137,000.

[\*\*SB 71\*\*](#) permits an individual who is at least seventeen years old to withdraw from school if the individual has the written consent of a parent or guardian. The bill also permits an individual who is at least sixteen years old to enroll in a high school equivalency test preparation program or take a high school equivalency test, if the individual has the written consent of a parent or guardian.

[\*\*SB 100\*\*](#) prohibits the Board of Regents and the South Dakota Board of Technical Education from restricting or limiting the lawful carrying, possessing, storing, or transporting of a concealed pistol, a stun gun, mace, pepper spray, or other chemical irritant by an individual who holds an enhanced permit, a restricted enhanced permit, or a reciprocal permit. Exceptions to the prohibition include areas containing certain chemicals or equipment, environmentally controlled rooms, secure areas, and special events if metal detectors and armed security personnel are present.

[\*\*SB 109\*\*](#) requires a school district to implement a new or revised section 504 plan, individualized family service plan, or individualized education program for a student, within thirty days of the student being enrolled in the school district, if the student is the child of an active-duty member of the United States armed forces who has been transferred to this state, currently has a section 504 plan, individualized family service plan, or individualized education program, and the appropriate staff member of the school district in which the student is being enrolled does not implement the plan that the existing plan.

**SB 216** limits the increase in the total assessed value of owner-occupied property in a county to three percent, while still requiring that the median assessment to sales ratio be at least 85 percent. The bill limits to three percent the permitted increase in property tax revenues for taxing districts resulting from development within the district, and excludes certain development from the calculation of the permitted increase. The bill increases the income threshold and assessment threshold to qualify for a property tax assessment freeze. The bill also allows the board of every school district to impose an excess tax levy for the district's capital outlay fund.

**SB 219** requires that a school district or accredited nonpublic school accept cash for admission to an event that is conducted or sponsored by the district or school, or in which the school participates, if the admission fee is less than \$200 per individual.

# 2025 Title Summaries

## Title 14

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This memorandum summarizes 2025 legislation codified in SDCL Title 14 – **Libraries**.

[HB 1041](#) eliminates the State Library Board and revises the responsibilities of the state library.

# 2025 Title Summaries

## Title 15

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No 2025 legislation was codified in SDCL Title 15 – **Civil Procedure**.

# 2025 Title Summaries

## Title 16

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This memorandum summarizes 2025 legislation codified in SDCL Title 16 – **Courts and Judiciary**.

[HB 1011](#) requires that all proceedings and evidence before a magistrate court, except for a small claims proceeding, be recorded through electronic or stenographic means. The bill also removes the ability of a party to require stenographic reporting of the proceedings.

## 2025 Title Summaries

### Title 17

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No 2025 legislation was codified in SDCL Title 17 – **Notice and Publication**.

# 2025 Title Summaries

## Title 18

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This memorandum summarizes 2025 legislation codified in SDCL Title 18 – **Oaths and Acknowledgements**.

[HB 1133](#) removes the requirement that a notary public provide a bond to the state prior to performing the duties of a notary, provides that a bond is not required of a personal representative in a probate action, unless the court determines that a bond is in the best interest of the estate. The bill also repeals the requirement that a plaintiff in an action to quiet title execute a bond.

[HB 1192](#) removes the \$10 maximum fee that a notary public may charge for notarizing an instrument.



# 2025 Title Summaries

## Title 19

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No 2025 legislation was codified in SDCL Title – **Evidence**.

# 2025 Title Summaries

## Title 20

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This memorandum summarizes 2025 legislation codified in SDCL Title 20 – **Personal Rights and Obligations**.

[HB 1259](#) requires public schools, the state, and political subdivisions to designate multi-occupancy changing rooms, restrooms, and sleeping quarters as being for the exclusive use of females or males and provides for a cause of action if the member of the opposite sex was given permission to use the restroom or changing room, or if the school, state, or political subdivision failed to take reasonable steps to prohibit the member of the opposite sex from using the respective room. In the case of sleeping quarters, injunctive relief may be provided. Exceptions are authorized for individuals providing assistance or rendering aid, law enforcement officers and others acting in an official capacity, and custodial and maintenance workers.

# 2025 Title Summaries

## Title 21

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This memorandum summarizes 2025 legislation codified in SDCL Title 21 – **Judicial Remedies**.

**HB 1133** provides that a bond is not required of a personal representative in a probate action unless the court determines that a bond is in the best interest of the estate. The bill also removes the requirement that a notary public provide a bond to the state prior to performing the duties of a notary and repeals the requirement that a plaintiff in an action to quiet title execute a bond.

**SB 14** repeals provisions establishing civil liability for any person who damages or destroys any field crop, animal, or organism grown for personal, commercial, or research purposes.

# 2025 Title Summaries

## Title 22

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This memorandum summarizes 2025 legislation codified in SDCL Title 22 – **Crimes**.

[HB 1053](#) defines a covered platform as "a website for which it is in the regular course of the website's trade or business to create, host, or make available material that is harmful to minors." The bill requires each covered platform to implement a system that allows for age verification of any individual who attempts to access material that is harmful to minors and allows for the denial of access to the material by minors. The bill imposes criminal and civil penalties on any covered platform that violates the requirements.

[HB 1230](#) enhances the penalty for manufacturing, distributing, or dispensing four milligrams or more of fentanyl to a Class 2 felony and provides mandatory sentencing based on the amount of fentanyl manufactured, distributed, or dispensed.

[HB 1239](#) requires every public school and public library to develop and implement a policy that allows an individual to appeal to the board of the school district or to the governing body of the public library, respectively, for a determination regarding whether any matter or material accessible to a minor is obscene. The bill also provides for judicial review of the determination.

[SB 8](#) establishes the crimes of watercraft battery and watercraft homicide for any person who, while under the unlawful influence of alcohol, drugs, or substances, and without design to effect serious bodily injury or death, operates a boat in a negligent manner and causes the serious bodily injury or death of another person.

[SB 14](#) clarifies that grand theft includes the stealing of cattle, bison, swine, sheep, goats, horses, ratites, and captive Cervidae, with a value of \$2,500 or less.

[SB 58](#) provides knowledge and use of force, threat of force, fraud, or coercion requirements for human trafficking crimes. The bill provides that coercion includes the abuse or threatened abuse of law or legal process, in a manner or purpose for which the law is not designed, to exert pressure on another person. The bill also requires mandatory sentencing for first and second degree human trafficking, and prohibits a person from obstructing or interfering with the enforcement of human trafficking provisions.

[SB 83](#) reduces the penalty for a first or second ingestion of a controlled drug or substance offense to a Class 1 misdemeanor, and requires that the sentencing court order the offender to complete a drug and alcohol evaluation and supervised probation.

**SB 115** prohibits a person who is at least eighteen years of age, at least five years older than the victim, and a family member related by consanguinity or affinity within the fifth degree to the victim, from knowingly engaging in sexual contact or touching the buttocks or upper inner thighs of a victim who is less than eighteen years of age and not the perpetrator's spouse, with the intent to arouse or gratify the sexual desire of the person or the victim.

**SB 123** defines the term "forensic medical examination" and clarifies what is included in the cost of a forensic medical examination.

# 2025 Title Summaries

## Title 23

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This memorandum summarizes 2025 legislation codified in SDCL Title 23 – **Law Enforcement**.

[HB 1218](#) prohibits a county, township, and municipality from adopting a policy or using other means to restrict the lawful possession of a concealed firearm by an employee, officer, or volunteer, while the individual is within any county building, facility, or vehicle, or while on any real property, owned or leased by the county. Exceptions are provided in the case of an inmate, an individual present in the secure area of a detention facility, a mental health crisis center, or a residential treatment facility, and an individual transporting another in accordance with a mental health apprehension under chapter 27A-10. An exception is also provided in the case of an event occurring within a building or facility if metal detectors and armed security personnel are utilized. The bill repeals a section that was put in place in 1989 to prohibit carrying a concealed pistol in a licensed on-sale malt beverage or alcoholic beverage establishment that derives over one-half of its total income from the sale of malt or alcoholic beverages.

[SB 7](#) prohibits a state entity or political subdivision from adopting or implementing a policy that limits or prohibits an individual from communicating with the federal government about the immigration status of another. The bill also prohibits a state entity or political subdivision from granting a noncitizen the right to lawful presence within the state or political subdivision and declares any such policy to be void.

[SB 72](#) allows a county to recover autopsy costs from the estate of a perpetrator if the perpetrator died during the commission of the crime or committed suicide subsequent to the commission of the crime.

# 2025 Title Summaries

## Title 23A

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This memorandum summarizes 2025 legislation codified in SDCL Title 23A – **Criminal Procedure**.

[HB 1096](#) prohibits a court from granting a suspended imposition of sentence to a person convicted of rape in the second or third degree, unless the person is a juvenile.

# 2025 Title Summaries

## Title 24

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This memorandum summarizes 2025 legislation codified in SDCL Title 24 – **Correctional Facilities and Parole**.

**SB 59** prohibits an inmate in a state correctional facility from possessing a cell phone, electronic communication device, or any other article not provided by or authorized by the facility. The bill also prohibits any person from delivering to an inmate in a state correctional facility any alcoholic beverage or marijuana, cell phone or other electronic communication device, prescription or nonprescription drug or controlled substance not authorized by the Department of Corrections, a dangerous weapon, or any other article not provided by or authorized by the facility.

**SB 64** excludes inmates convicted of first degree murder, second degree murder, an act of terrorism, attempted first degree murder of a law enforcement officer, aggravated kidnapping in the second degree, and second degree robbery from parole eligibility. The bill also establishes arson in the second degree, rape in the third or fourth degree, and felony sexual contact as violent crimes for the purpose of setting an initial parole date for a crime committed on or after July 1, 2023.

**SB 140** requires the state to reimburse a county for costs incurred for a parolee's medication and medical care while the parolee is detained by the county.



# 2025 Title Summaries

## Title 25

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This memorandum summarizes 2025 legislation codified in SDCL Title 25 – **Domestic Relations**.

[HB 1005](#) reduces the financial responsibility of the Department of Social Services for the cost of a private home study, which is a necessary component of an adoption, to \$1,500.

[HB 1044](#) authorizes ambulance services, fire departments, health care facilities, and law enforcement agencies to install newborn safety devices, enabling a parent to surrender a child anonymously, and establishes requirements for the devices.

[HB 1174](#) provides the methods by which the father of a child born out of wedlock becomes an acknowledged father as a matter of law and adopts the child. The bill also clarifies a father's rights to service of process and notice in an adoption proceeding involving a child born out of wedlock.

[SB 111](#) authorizes a court to order family therapy or reunification therapy in a custody or visitation dispute. The bill also provides a rebuttable presumption that family therapy or reunification therapy is not in the best interest of the child, if one party has been the victim of domestic violence perpetrated by the other party, or if a child has been a victim of domestic abuse perpetrated by one of the parties.

# 2025 Title Summaries

## Title 26

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This memorandum summarizes 2025 legislation codified in SDCL Title 26 – **Minors**.

[HB 1195](#) provides that a court may find good cause to terminate parental rights if a child has been adjudicated as abused or neglected and if the parent files a petition for voluntary termination of parental rights.

## 2025 Title Summaries

### Title 27A

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No 2025 legislation was codified in SDCL Title 27A – **Mentally Ill Persons**.

## 2025 Title Summaries

### Title 27B

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No 2025 legislation was codified in SDCL Title 27B – **Developmentally Disabled Persons**.

# 2025 Title Summaries

## Title 28

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This memorandum summarizes 2025 legislation codified in SDCL Title 28 – **Public Welfare and Assistance**.

[HB 1106](#) requires that any resettlement agency compile an annual report detailing each program, service, and resource provided in support of refugee resettlement in this state.

## 2025 Title Summaries

### Title 29A

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This memorandum summarizes 2025 legislation codified in SDCL Title 29A – **Uniform Probate Code**.

[HB 1133](#) provides that a bond is not required of a personal representative in a probate action unless the court determines that a bond is in the best interest of the estate. The bill also removes the requirement that a notary public provide a bond to the state prior to performing the duties of a notary and repeals the requirement that a plaintiff in an action to quiet title execute a bond.

# 2025 Title Summaries

## Title 30

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No 2025 legislation was codified in SDCL Title 30 – **Probate and Guardianship Procedure**.

# 2025 Title Summaries

## Title 31

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This memorandum summarizes 2025 legislation codified in SDCL Title 31 – **Highways and Bridges**.

[HB 1173](#) removes the cap of \$2 a foot per calendar year on an assessment for road improvements. The bill provides that the assessment must be in an amount set by the township's board of supervisors or the board of commissioners.

[SB 39](#) revises the statutory description of highways included in the state trunk highway system to exclude a point on U.S. Highway 14 easterly to State Highway 34, then north via Pierre to U.S. Highway 14.



# 2025 Title Summaries

## Title 32

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This memorandum summarizes 2025 legislation codified in SDCL Title 32 – **Motor Vehicles**.

[HB 1075](#) adds school district homeless liaisons, school counselors, school nurses, social workers, and employees of a food bank to the list of individuals authorized to sign an affidavit proving homelessness, thereby allowing a homeless individual to obtain a free nondriver identification card.

[HB 1094](#) increases the penalty for improperly passing a stopped school bus to a Class 1 misdemeanor. The bill also provides that if a school bus is equipped with an external video system, any recording from that system is discoverable and may be entered into evidence in any civil or criminal action.

[HB 1125](#) creates a share the road bicyclist safety emblem for use on a motor vehicle emblem specialty plate.

[HB 1129](#) allows the owner of a motor vehicle, off-road vehicle, snowmobile, or boat to designate on the certificate of title a beneficiary to whom the property will be transferred upon the death of the owner.

[HB 1160](#) provides that employees of the United States Department of State living abroad and active-duty members of the United States military and their families are not subject to the one hundred eighty-day renewal period for certain vehicle operator licenses and permits, and may renew at any time, regardless of the expiration date.

[HB 1161](#) adds permissible documents that a veteran may provide to the Department of Public Safety, as verification of the veteran's military service, when applying for a veteran designation on a commercial driver license or commercial learner's permit.

[SB 2](#) increases the civil penalty for various commercial driver violations pertaining to railroad-highway grade crossings and driving while under an out of service order.

[SB 3](#) increases the application fee for an original driver license or a renewal from \$28 to \$38, increases the fee for a duplicate license, a name change, or an address change from \$15 to \$20, and increases the application fee for a commercial driver license from \$33 to \$43. The bill also changes fees for restoring a revoked license.

[SB 38](#) modifies the requirements for motorists approaching a vehicle that is stopped or occupying the shoulder of the highway and displaying emergency lights.

[SB 45](#) imposes a nonrefundable motor vehicle technology fee of \$2 on any transaction involving the titling or registration of a motor vehicle, boat, or trailer.

**SB 46** provides that boat registration fees must be deposited into the parks and recreation fund, rather than into the general fund. The bill also provides that boat validation decal fees and registration replacement fees must be deposited into the state motor vehicle fund, rather than into the general fund.

**SB 73** provides that an individual who registers as a voter when applying for a South Dakota driver license must be a resident of the state, as that term is defined for the purpose of voting.

**SB 75** requires an indication of United States citizenship status on a motor vehicle operator's license or permit and on a nondriver identification card.

**SB 77** updates statutory references by changing the term "ambulance driver" to "ambulance operator."

**SB 116** prohibits a person from driving any motor vehicle on a public highway in a race, speed competition or contest, acceleration race or contest, or in an exhibition of speed or acceleration and authorizes the sentencing court to revoke an offender's driver license. The bill prohibits a person from coordinating, facilitating, or collecting money incident to any race, drag race, organized race, speed competition or contest, acceleration race or contest, exhibition of speed or acceleration or stunt driving, or street takeover and subjects an offending motor vehicle to a civil penalty of \$1,000, if the driver of the vehicle is unknown.

**SB 131** establishes an electronic title and registration system applicable to motor vehicles, boats, snowmobiles, manufactured and mobile homes, commercial motor vehicles, and fleet vehicles and fleets. The bill also amends references to subsections in titles 10, 32, and 37 that have been changed by the addition of new subdivisions in the Code.

**SB 135** provides that the increased fee imposed upon an owner who chooses to title a motor vehicle, off-road vehicle, or snowmobile, without having a South Dakota driver license or a physical address, is not applicable to a title correction, a duplicate title, to an insurer taking title to a vehicle pursuant to the payment of a covered loss, to a manufacturer taking title due to a manufacturer buy back, or to a lienholder taking title due to a repossession.

**SB 174** includes boats, snowmobiles, and off-road vehicles in the abandoned vehicle titling process.

**SB 179** provides that an off-road vehicle dealer who attends a special event is not required to purchase a permit or license, if the event does not exceed seven days, is held outside the county in which the dealer's principal place of business is located, and no other dealer representing the same franchise is located in the county.

**SB 193** allows an applicant who is a native speaker of any language other than English to bring an interpreter along during the driving test for a noncommercial driver license or permit, provided the interpreter is approved by the department and the applicant is responsible for recruiting and paying the interpreter.

# 2025 Title Summaries

## Title 33

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No 2025 legislation was codified in SDCL Title 33 – **Military Affairs**.

# 2025 Title Summaries

## Title 33A

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This memorandum summarizes 2025 legislation codified in SDCL Title 33A – **Veterans Affairs**.

**HB 1238** prohibits a person who is assisting a veteran with a benefit claim administered by the United States Department of Veterans Affairs or the South Dakota Department of Veterans Affairs from charging an initial or nonrefundable fee, guaranteeing a specific outcome, receiving compensation within the veteran's first year following discharge from service, or using the veteran's log-in information to access the veteran's personal data. The bill requires that compensation for assisting a veteran be contingent upon an increase in the benefit awarded to the veteran and limits the allowable compensation to five times the monthly increase in the benefit awarded based on the claim. The bill also requires disclosure of the terms of service prior to assisting a veteran and establishes a civil penalty, which may not exceed \$5,000, against a person who violates any provision of the Act.

# 2025 Title Summaries

## Title 34

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This memorandum summarizes 2025 legislation codified in SDCL Title 34 – **Public Health and Safety**.

[HB 1015](#) increases licensure fees for crematories and funeral establishments, and increases the fee for a license to practice funeral service.

[HB 1056](#) prohibits the preparation, sale, and distribution of a kratom product that is of a certain composition, that is mixed with a non-kratom substance, or that is not appropriately packaged or labeled.

[HB 1074](#) adds school district homeless liaisons, school counselors, school nurses, and social workers to the list of individuals authorized to sign an affidavit proving homelessness, allowing a homeless individual to obtain a free, certified copy of a birth certificate.

[HB 1139](#) defines an individualized investigative treatment as a treatment that is unique to and produced exclusively for a patient, based on the patient’s genetic profile, and adds such treatments to the existing statutory framework governing the “right-to-try” treatments for an individual with a life-threatening or debilitating disease or condition.

[HB 1141](#) clarifies that certain requirements for an employer to acquire and make available an opioid antagonist apply only to opioid antagonists that are prescribed and not to opioid antagonists that are available over the counter.

[HB 1225](#) repeals the requirement that the South Dakota Association of Healthcare Organizations maintain a public website displaying hospital charge information and allows a hospital to report charge information using Medicare Severity Diagnosis-Related Groups as an alternative to All Patient Refined Diagnosis-Related Groups.

[HB 1265](#) requires the Department of Public Safety to provide information about the National Marrow Donor Program to an individual applying for or renewing a driver license or nondriver identification card.

[SB 34](#) transfers certain functions regarding range and forest fire management from the Department of Agriculture and Natural Resources to the Department of Public Safety.

[SB 35](#) updates the controlled substances schedule, adding multiple substances to Schedule I.

[SB 36](#) removes the requirement that an initial application for licensure as a lodging establishment, campground, food service establishment, or mobile food service establishment be verified under oath.

**SB 37** amends the timeline for the annual report submitted by the governing body of a public service answering point to the 911 Coordination Board and removes the 2026 expiration date that had been applicable to the two-dollar 911 emergency surcharge.

**SB 76** repeals the requirement that the Department of Health and the Department of Human Services submit an annual report to, and testify before, the Senate and House Health and Human Services Committees regarding long-term healthcare needs in the state.

**SB 77** updates statutory references by changing the term "ambulance driver" to "ambulance operator."

# 2025 Title Summaries

## Title 34A

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This memorandum summarizes 2025 legislation codified in SDCL Title 34 – **Environmental Protection**.

[HB 1021](#) modifies the annual fee required of concentrated animal feeding operations and establishes a water pollution control permit application fee.

# 2025 Title Summaries

## Title 35

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This memorandum summarizes 2025 legislation codified in SDCL Title 35 – **Alcoholic Beverages**.

[HB 1079](#) allows a county or municipality with a population of one thousand or less to issue an additional off-sale liquor license. The bill increases the maximum number of off-sale licenses from two to three in those counties and municipalities.



# 2025 Title Summaries

## Title 36

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This memorandum summarizes 2025 legislation codified in SDCL Title 36 – **Professions and Occupations**.

[HB 1014](#) removes supervision requirements for basic life support personnel and establishes a reinstatement fee for a license to practice emergency medical services.

[HB 1015](#) increases the fee for a license to practice funeral service and increases the licensure fees for crematories and funeral establishments.

[HB 1016](#) makes clarifying changes governing the licensure of pharmacies and pharmacists, allows the Board of Pharmacy to impose late fees, and increases other licensure fees imposed by the board. The bill repeals a provision enabling the South Dakota Pharmacists Association to receive 80 percent of all revenue from licensure renewals, and repeals obsolete provisions related to the practice of pharmacy.

[HB 1061](#) prohibits a health care provider from restricting or denying parental access to a minor's electronic health information, medical record, or patient portal.

[HB 1071](#) authorizes a physician assistant to practice without having a practice agreement signed by a physician, provided that the physician assistant is nationally certified and has completed at least 6000 practice hours. The bill also updates terminology from “supervision” to “collaboration,” and defines the scope of practice for a physician assistant.

[HB 1097](#) authorizes a nonresident physician to practice temporarily, for training purposes, without obtaining a full license from the State Board of Medical and Osteopathic Examiners, provided the nonresident physician registers with the board and is supervised by an in-state physician.

[HB 1099](#) allows a paramedic who is certified by the International Board of Specialty Certification to be eligible for a community paramedic endorsement.

[HB 1144](#) adopts the interstate dietitian licensure compact.

[HB 1232](#) authorizes salon operators to permit licensed cosmetologists, estheticians, and nail technicians to share workstations or space, provided the licensed individuals meet equipment and sanitary requirements and do not use the workstation or space simultaneously.

**SB 24** authorizes the State Plumbing Commission to establish an initial application fee and various license verification fees. The bill authorizes the establishment of an administrative late fee for failing to file a plumbing installation certificate prior to the commencement of plumbing work and authorizes the registration of nonresident applicants who are registered in another state, upon the payment of an initial application fee, an examination fee, and a license fee.

**SB 25** updates statutory references to the Uniform Plumbing Code from the 2015 edition to the 2024 edition.

**SB 27** authorizes the Cosmetology Commission to promulgate rules regarding the inspection of a prospective salon or booth and increases various licensure and inspection fees.

**SB 28** revises the date by which a barber must renew a certificate of registration and authorizes increases in the various examination, registration, operation, and inspection fees.

**SB 31** authorizes increases in the various installation inspection fees charged by the State Electrical Commission.

**SB 32** authorizes increases in the various fees charged by the South Dakota Board of Accountancy.

**SB 77** updates statutory references by changing the term "ambulance driver" to "ambulance operator."

**SB 80** authorizes a funeral service trainee to embalm a dead human body under the supervision of a licensed funeral director, repeals the requirement that a traineeship be one year, and provides rulemaking authority to the State Board of Funeral Service for the establishment of traineeship requirements.

**SB 110** revises licensure requirements for physical therapists and physical therapist assistants, removes the requirement that a supervising physical therapist must register certain information regarding a physical therapist assistant who is being supervised, and removes the 30-day time limit on the delegation of supervision to another physical therapist. The bill also updates supervision standards applicable to a physical therapist assistant.

# 2025 Title Summaries

## Title 37

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This memorandum summarizes 2025 legislation codified in SDCL Title 37 – **Trade Regulation**.

**SB 81** prohibits the use of a code that identifies whether a merchant is a firearms dealer or whether a payment card transaction involves the purchase of a firearm, firearm accessories or components, or ammunition, and further prohibits a financial institution from discriminating against a firearms dealer.

**SB 93** prohibits a garage, repair shop, or body shop from advertising, promising to provide, or offering any coupon, credit, or rebate to pay all or part of an applicable insurance deductible and prohibits a garage, repair shop, or body shop from paying or rebating all or part of an applicable insurance deductible.

**SB 131** reconciles cross references resulting from the statutory directive to establish an electronic title and registration system applicable to motor vehicles, boats, snowmobiles, manufactured and mobile homes, commercial motor vehicles, and fleet vehicles and fleets.

**SB 154** provides that it is a deceptive act or practice for a pharmaceutical manufacturer to directly or indirectly, deny, restrict, or prohibit the acquisition of a 340B drug or the delivery of a 340B drug to a location that is authorized to receive the drug by a 340B entity or pharmacy. The bill also provides that it is a deceptive act or practice for a pharmaceutical manufacturer to require claims or utilization data as a condition of allowing the acquisition of a 340B drug.

# 2025 Title Summaries

## Title 38

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This memorandum summarizes 2025 legislation codified in SDCL Title 38 – **Agriculture and Horticulture**.

[HB 1083](#) modifies the requirements for obtaining an agricultural processor's lien by having the processor file the statement to perfect the lien with the secretary of state through a central, electronic filing system rather than at a country register of deeds office. The bill takes effect January 1, 2027.

[HB 1116](#) removes the requirement that the attorney general provide an annual report to the Governor and the Legislature regarding the effect that the legalization of industrial hemp has had on controlled substances and marijuana prosecutions in this state.

# 2025 Title Summaries

## Title 39

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This memorandum summarizes 2025 legislation codified in SDCL Title 39 – **Food and Drugs**.

[HB 1022](#) defines as misbranded any meat food product that is, or contains, any cell-cultured protein and does not clearly contain the words “cell-cultured” or “lab-grown” immediately adjacent to the name of the food on the label. The bill defines cell-cultured protein as a product that is produced for use as human food, made wholly or in part from any cell culture or the DNA of a host animal, and is grown or cultivated outside a live animal.

[HB 1118](#) prohibits the use of state moneys for research, production, promotion, or the sale of cell-cultured protein. The bill exempts the Board of Regents, any institution under the control of the board, and any state agency that is carrying out regulatory functions under chapter 39-5, which pertains to meat and meat products.

# 2025 Title Summaries

## Title 40

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This memorandum summarizes 2025 legislation codified in SDCL Title 40 – **Animals and Livestock**.

**SB 14** replaces the term "animal facility" with "agricultural production facility" and prohibits an individual from using deception to gain access to or employment at an agricultural production facility not open to the public, with intent to cause harm or injury to the facility. The bill also prohibits an individual from knowingly placing or using a camera while committing criminal trespass against an agricultural production facility.

**SB 15** adds a representative of the South Dakota Landowner and Outfitter Alliance to the policy advisory committee for animal damage control.

**SB 120** adds a poultry producer to the Animal Industry Board.

**SB 170** authorizes the South Dakota State Brand Board to enter a memorandum of understanding with any federally recognized Indian tribe for purposes of investigating livestock theft on, and adjacent to, tribal lands.

# 2025 Title Summaries

## Title 41

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This memorandum summarizes 2025 legislation codified in SDCL Title 41 – **Game, Fish, Parks and Forestry**.

[\*\*HB 1188\*\*](#) provides that active-duty members of the United States armed forces may annually purchase one fall three-day temporary nonresident waterfowl license. The bill limits the number of licenses available for purchase each year to 100.

[\*\*SB 41\*\*](#) creates a specific mentored youth hunting license and makes it available to youth under the age of 16. The bill removes the requirement that there be written parental consent if the mentor is an adult other than the child's parent or guardian, and removes the limit on the number of individuals who may be in a hunting party if a mentored youth is a participant.

[\*\*SB 78\*\*](#) increases the size of bullets allowable for the taking of certain animals from a diameter of less than .225 to a diameter of less than .312 inches.

[\*\*SB 79\*\*](#) limits the use of electric bicycles on the George S. Michelson Trail to Class I electric bicycles.

[\*\*SB 144\*\*](#) prohibits the Department of Game, Fish and Parks from acquiring, building, or significantly improving a building, facility, or other physical asset, or from building or significantly improving any infrastructure, or entering into a lease or a lease-purchase agreement, if doing so would require a cumulative capital expenditure in excess of \$2,500,000, without first obtaining approval from the legislature or from the special interim committee consisting of appropriations committee members.

# 2025 Title Summaries

## Title 42

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This memorandum summarizes 2025 legislation codified in SDCL Title 42 – **Recreation and Sports**.

[SB 8](#) requires that a boat operator who is involved in an accident resulting in injury or death to any person immediately stop the boat at the scene of the accident, render assistance, and provide identification. The bill also establishes a criminal penalty for a boat operator who fails to comply with the requirements.

[SB 47](#) clarifies that a public company applying for licensure as a video lottery machine operator must be publicly traded on a market regulated by the United State Securities and Exchange Commission.



# 2025 Title Summaries

## Title 43

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This memorandum summarizes 2025 legislation codified in SDCL Title 43 – **Property**.

[HB 1080](#) provides that a covenant running with the land may not prohibit, restrict, or have the effect of prohibiting or restricting the lawful possession, storage, or transportation of a firearm or the lawful discharge of a firearm.

[HB 1196](#) adds virtual currency to the Uniform Unclaimed Property Act. The bill addresses location information, liquidation procedures, and notice requirements for abandoned virtual currency.

[SB 88](#) increases the amount of exempt proceeds from \$60,000 to \$100,000 for a homestead that is sold or divided by court order.

[SB 155](#) creates the trust fund for unclaimed property and directs that, beginning in fiscal year 2026 and each year thereafter, the state treasurer shall, after paying all claims and administrative costs associated with the sale of unclaimed property, deposit into the general fund the net receipts from unclaimed property, up to the general fund contribution limit established in the bill. Net receipts from unclaimed property that exceed the general fund contribution limit must be deposited into the trust fund.

[SB 171](#) adds to the required Seller's Property Condition Disclosure Statement questions regarding whether the property being sold has been designated as a historic property or is located within an established historic district.

[SB 215](#) creates an exception to the doctrine of merger. The bill establishes that an easement or servitude created by a property owner is valid, notwithstanding common ownership of the benefited and burdened property.

## 2025 Title Summaries

### Title 44

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No 2025 legislation was codified in SDCL Title 44 – **Liens**.

## 2025 Title Summaries

### Title 45

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No 2025 legislation was codified in SDCL Title 45 – **Mining, Oil and Gas**.

# 2025 Title Summaries

## Title 46

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No 2025 legislation was codified in SDCL Title 46 – **Water Rights**.

# 2025 Title Summaries

## Title 46A

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This memorandum summarizes 2025 legislation codified in SDCL Title 46A – **Water Management**.

[HB 1072](#) modernizes provisions related to water development districts.

[HB 1095](#) provides that an irrigation district board director must reside within the district or within twenty-five miles of the district boundary.

[HB 1157](#) increases to \$500 the maximum fee for a county drainage permit. The bill also establishes that the fee is nonrefundable and must be paid at the time of application.

## 2025 Title Summaries

### Title 47

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This memorandum summarizes 2025 legislation codified in SDCL Title 47 – **Corporations**.

[HB 1024](#) increases fees charged by the secretary of state for the filing of various annual reports. The bill also raises the amount that may be retained in the financing statement and annual report filing fee fund from \$25,000 to \$50,000.

## 2025 Title Summaries

### Title 48

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This memorandum summarizes 2025 legislation codified in SDCL Title 47 – **Partnerships**.

[HB 1024](#) increases fees charged by the secretary of state for the filing of various annual reports. The bill also raises the amount that may be retained in the financing statement and annual report filing fee fund from \$25,000 to \$50,000.

# 2025 Title Summaries

## Title 49

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This memorandum summarizes 2025 legislation codified in SDCL Title 49 – **Public Utilities and Carriers**.

[HB 1007](#) provides that moneys from the South Dakota public utilities commission gross receipts tax fund may not be used to reimburse the commission for any additional costs incurred during the permitting process for the construction of an energy conversion facility or an AC/DC conversion facility.

[HB 1008](#) provides that for purposes of the Public Utilities Commission of the State of South Dakota siting authority, an energy conversion facility includes a "hybrid facility," which is a new or expanded facility that is comprised of more than one type of generation source, is capable of injecting 100 megawatts of electricity into the transmission or distribution system, and which has a single point of interconnection to the distribution or transmission system.

[HB 1012](#) clarifies that the Statewide One-Call Notification Board is administered by the Department of Public Safety and describes the duties of both the board and the department in the development and functioning of the statewide one-call notification system.

[HB 1052](#) prohibits the exercise of eminent domain to acquire the right-of-way for, construct, or operate a pipeline for the preponderant purpose of transporting carbon oxide.

[SB 1](#) amends date references in citations to the Code of Federal Regulations found in title 49 of the South Dakota Codified Laws.



# 2025 Title Summaries

## Title 50

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This memorandum summarizes 2025 legislation codified in SDCL Title 50 – **Aviation**.

[SB 40](#) transfers certain functions from the South Dakota Aeronautics Commission to the Department of Transportation and authorizes the commission to promulgate rules regarding the issuance and maintenance of approval certificates for airports.

## 2025 Title Summaries

### Title 51A

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No 2025 legislation was codified in SDCL Title 51A – **Banks and Banking**.

# 2025 Title Summaries

## Title 53

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No 2025 legislation was codified in SDCL Title 53 – **Contracts**.

## 2025 Title Summaries

### Title 54

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No 2025 legislation was codified in SDCL Title 54 – **Debtor and Creditor**.

## 2025 Title Summaries

### Title 55

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This memorandum summarizes 2025 legislation codified in SDCL Title 55 – **Fiduciaries and Trusts**.

[SB 69](#) defines a "tax trust advisor" and authorizes the individual to exercise, in the best interest of the trust and in the advisor's sole discretion, any tax power, as provided for in the governing instrument, except as otherwise prohibited in the governing instrument.

## 2025 Title Summaries

### Title 56

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No 2025 legislation was codified in SDCL Title 56 - **Guaranty, Suretyship and Indemnity**.

## 2025 Title Summaries

### Title 57A

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This memorandum summarizes 2025 legislation codified in SDCL Title 57A – **Uniform Commercial Code**.

[HB 1024](#) increases fees charged by the secretary of state for the filing of various annual reports. The bill also raises the amount that may be retained in the financial statement and annual report filing fee fund from \$25,000 to \$50,000.

# Title Summaries

## Title 58

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This memorandum summarizes 2025 legislation codified in SDCL Title 58 – **Insurance**.

**SB 30** removes outdated references in the insurance title, including terms such as diskette, telephone, and telegraph, and changes references from a continuing education sponsor to a continuing education provider to reflect national standards.

**SB 154** provides that a pharmaceutical manufacturer may not directly or indirectly, deny, restrict, or prohibit the acquisition of a 340B drug or the delivery of a 340B drug to a location that is authorized to receive the drug by a 340B entity or pharmacy. The bill places restrictions on a pharmaceutical manufacturer requiring claims or utilization data as a condition for allowing the acquisition of a 340B drug, and further provides that any violation is a deceptive act or practice.



## 2025 Title Summaries

### Title 59

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No 2025 legislation was codified in SDCL Title 59 – **Agency**.

## 2025 Title Summaries

### Title 60

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No 2025 legislation was codified in SDCL Title 60 – **Labor and Employment**.

## 2025 Title Summaries

### Title 61

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This memorandum summarizes 2025 legislation codified in SDCL Title 61 – **Reemployment Assistance**.

[SB 26](#) reduces employer taxes, which go to the unemployment insurance trust fund, by \$3 million, while increasing the administrative fee charged to employers for operations of the reemployment program by \$3 million.

## 2025 Title Summaries

### Title 62

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No 2025 legislation was codified in SDCL Title 62 – **Workers' Compensation**.