



## 2026 South Dakota Legislature

# Senate Bill 63

*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 chapter 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," a job specified by an industry that involves the  
 11 progressive attainment of skills, competencies, and knowledge; complies with 29  
 12 C.F.R. § 29.4 (January 1, 2026); and is:

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 and 29  
 20 C.F.R. §§ 29.1 to 29.14, inclusive (January 1, 2026);

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

24 (a) Complies with 29 C.F.R. § 29.7 (January 1, 2026); and

25 (b) Contains the terms and conditions of the employment and training of the  
 26 apprentice;

- 1       (4) "Apprenticeship committee," the persons designated by the sponsor to administer  
2       the program. The committee may be:
- 3       (a) A joint committee composed of an equal number of representatives of the  
4       employer, and employees represented by a bona fide collective bargaining  
5       agent; or
- 6       (b) A non-joint committee that includes employer representatives, and may  
7       include employees, but does not have a bona fide collective bargaining  
8       agent participating;
- 9       (5) "Apprenticeship program," a plan containing all terms and conditions for the  
10       qualification, recruitment, selection, employment, and training of apprentices, as  
11       provided for in 29 C.F.R. §§ 29.1 to 29.14, inclusive (January 1, 2026);
- 12       (6) "Department," the Department of Labor and Regulation;
- 13       (7) "Registered apprenticeship program," an apprenticeship program that is registered  
14       by the department pursuant to this Act;
- 15       (8) "Registration agency," the United States Department of Labor Office of  
16       Apprenticeship or a recognized state apprenticeship agency responsible for  
17       registering apprenticeship programs and apprentices, providing technical  
18       assistance, conducting reviews for compliance with 29 C.F.R. §§ 29.1 to 29.14,  
19       inclusive (January 1, 2026), and quality assurance assessments;
- 20       (9) "Sponsor," any person, association, committee, or organization operating an  
21       apprenticeship program and in whose name the program is registered or approved  
22       by the department; and
- 23       (10) "State apprenticeship agency," an agency of a state government that has  
24       responsibility and accountability for registered apprenticeship programs with the  
25       state.

26       **Section 2. That a NEW SECTION be added to a NEW CHAPTER in title 60:**

27       The state office of apprenticeship is established and maintained within the  
28       department, as provided for in 29 C.F.R. §§ 29.1 to 29.14, inclusive (January 1, 2026).

29       The office shall:

- 30       (1) Serve as the sole state apprenticeship agency in the state;  
31       (2) Engage in outreach and education to promote registered apprenticeship programs  
32       as a workforce development tool;  
33       (3) Establish standards for registered apprenticeship programs in the state; and  
34       (4) Resolve disputes between parties to an apprenticeship agreement.

1           The office is administered by the secretary of the department.

2   **Section 3. That a NEW SECTION be added to a NEW CHAPTER in title 60:**

3           The secretary of the department shall promulgate rules, in accordance with chapter  
4 1-26, relating to the administration of this Act in the following areas:

5           (1) Program and performance standards for registering apprenticeship programs, as  
6 provided for in 29 C.F.R. §§ 29.1 to 29.14, inclusive (January 1, 2026);

7           (2) Standards for an apprenticeship program eligible for registration, as provided for  
8 in 29 C.F.R. § 29.5 (January 1, 2026);

9           (3) Contents of an apprenticeship agreement, as provided for in 29 C.F.R. § 29.7  
10 (January 1, 2026);

11           (4) Procedures and requirements for the registration of a program and an apprentice,  
12 as provided for in 29 C.F.R. § 29.5 (January 1, 2026);

13           (5) Procedures and methods for monitoring compliance of apprenticeship programs,  
14 as provided for in 29 C.F.R. §§ 29.1 to 29.14, inclusive (January 1, 2026);

15           (6) The provision of technical assistance to a program, as provided for in 29 C.F.R.  
16 § 29.13 (January 1, 2026);

17           (7) Complaint procedures, as provided for in 29 C.F.R. § 29.12 (January 1, 2026);

18           (8) Procedures and requirements for the cancellation, deregistration, or reinstatement  
19 of a registered apprenticeship program, as provided for in 29 C.F.R. §§ 29.8 and  
20 29.9, (January 1, 2026);

21           (9) Procedures and requirements for the temporary suspension, cancellation, or  
22 deregistration of an apprenticeship agreement, as provided for in 29 C.F.R. § 29.7  
23 (January 1, 2026); and

24           (10) The process for according reciprocal approval for federal purposes to an apprentice,  
25 apprenticeship program, and standards that are registered in other states by the  
26 United States Department of Labor, or a registration agency, if reciprocity is  
27 requested by a sponsor, as provided for in 29 C.F.R. § 29.13 (January 1, 2026).

28   **Section 4.** This Act is effective immediately upon the date the United States Department of  
29 Labor Office of Apprenticeship formally recognizes the state apprenticeship agency  
30 established by this Act. The department shall inform the code counsel of the formal recognition  
31 in writing.