



2026 South Dakota Legislature

Senate Bill 105

Introduced by: **Senator Pischke**

1 **An Act to require the licensure of certain individuals performing installation of radon**
2 **mitigation systems and provide a penalty therefor.**

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 36:**

5 For purposes of this chapter, "radon mitigation system" means an installation
6 designed to decrease or eliminate the presence of radon in an indoor space.

7 **Section 2. That a NEW SECTION be added to a NEW CHAPTER in title 36:**

8 Before an individual installs a radon mitigation system for compensation, the
9 individual must be licensed as a radon mitigation specialist by the Department of Health.
10 A violation of this section is a Class 1 misdemeanor.

11 **Section 3. That a NEW SECTION be added to a NEW CHAPTER in title 36:**

12 To apply for licensure as a radon mitigation specialist, an individual must submit
13 to the Department of Health:

- 14 (1) An application provided by the department;
15 (2) The licensure fee established by the department in accordance with section 7 of
16 this Act;
17 (3) Documentation of having completed the requirements of a nationally recognized
18 certification program approved by the department; and
19 (4) Proof the applicant eighteen is years or older.

20 An initial license issued by the department pursuant to this section expires one
21 year from the date of issuance.

22 **Section 4. That a NEW SECTION be added to a NEW CHAPTER in title 36:**

1 To renew a license, a licensee must:

2 (1) Submit a renewal application provided by the department;

3 (2) Pay the renewal fee established by the department, as provided by section 7 of
4 this Act;

5 (3) Provide documentation to the department of the licensee's completion of seven
6 hours of department-approved continuing education consisting of topics designed
7 to maintain or advance a licensee's knowledge of radon mitigation practices; and

8 (4) Provide documentation to the department that the licensee's national certification
9 is current and in good standing.

10 The department may reinstate an expired license if a renewal application and
11 renewal fee is received within thirty days after the license expires. The department may
12 assess a late fee of no more than seventy-five dollars for renewal applications processed
13 after the expiration date of the license being renewed.

14 **Section 5. That a NEW SECTION be added to a NEW CHAPTER in title 36:**

15 The department may, in compliance with chapter 1-26, deny the issuance of a
16 license, or suspend or revoke a license if:

17 (1) The license was obtained by false or fraudulent means; or

18 (2) The applicant or licensee engages in conduct that demonstrates the inability to
19 install radon mitigation systems in accordance with standards of installation
20 established by the department under section 7 of this Act.

21 **Section 6. That a NEW SECTION be added to a NEW CHAPTER in title 36:**

22 There is created in the state treasury the radon mitigation licensure fund. The fund
23 consists of all fees imposed pursuant to this chapter and other moneys designated for
24 deposit in the fund.

25 The department shall administer the fund to defray the expenses associated with
26 the administration of this chapter. Interest on moneys credited to the fund must remain
27 in the fund. Expenditures from the fund must be budgeted through the general
28 appropriations bill.

29 **Section 7. That a NEW SECTION be added to a NEW CHAPTER in title 36:**

30 The department shall promulgate rules, in accordance with chapter 1-26, to
31 establish:

- 1 (1) Criteria governing the initial licensure and renewal application process;
- 2 (2) Continuing education standards for license renewal and criteria for verifying
- 3 compliance with this chapter;
- 4 (3) Standards for the installation of radon mitigation systems;
- 5 (4) The initial licensure fee, which may not exceed five hundred dollars; and
- 6 (5) The license renewal fee, which may not exceed two hundred fifty dollars.