



2026 South Dakota Legislature  
**Senate Bill 51**  
**ENROLLED**

AN ACT

**ENTITLED An Act to revise certain requirements for contesting actions of the South Dakota Retirement System.**

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

**Section 1. That § 3-12C-213 be AMENDED:**

**3-12C-213.** Any individual aggrieved by an order of the executive director issued pursuant to this chapter and chapters 3-13 and 3-13A may, in writing, request a contested case hearing before the executive director, if that individual believes that the order is based upon a mistake of fact or error of law.

The written hearing request must be received by the executive director within sixty days from the date the order was mailed to the individual by certified mail and must contain a statement indicating the portion of the order being contested and the mistake of fact or error of law that the individual believes resulted in an invalid order. If a written request for hearing is not received by the executive director within sixty days from the date the order was mailed by certified mail to the individual, then no court has jurisdiction over a suit to contest the order.

For purposes of this section, if a written request for hearing is sent by United States mail, the date of the postmark placed by the United States postal service is the date received by the executive director.

A hearing under this section and any subsequent appeal must occur in accordance with chapters 1-26 and 1-26D.

An Act to revise certain requirements for contesting actions of the South Dakota Retirement System.

I certify that the attached Act originated in the:  
Senate as Bill No. 51

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_, 2026 at \_\_\_\_\_ M.

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

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

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

The attached Act is hereby approved this \_\_\_\_ day of \_\_\_\_\_, A.D., 2026

Attest:

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

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

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

Attest:

Filed \_\_\_\_\_, 2026 at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Chief Clerk of the House

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

Senate Bill No. 51  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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