



2026 South Dakota Legislature
Senate Bill 54
ENROLLED

AN ACT

ENTITLED An Act to revise the conditions for in-service distributions from the South Dakota deferred compensation plan.

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

Section 1. That § 3-13-78 be AMENDED:

3-13-78. Deferrals may be distributed only if one of the following conditions has occurred:

- (1) Severance from employment with a participating employer;
- (2) Death of the participant;
- (3) An unforeseeable emergency, set forth in § 3-13-82;
- (4) Requirements are satisfied for an in-service distribution, as set forth in § 3-13-83;
- (5) The participant is called to perform qualified military service for a period in excess of thirty days; or
- (6) The participant elects to receive an in-service distribution pursuant to section 2 of this Act.

Section 2. That a NEW SECTION be added to chapter 3-13:

Notwithstanding § 3-13-83, a participant who is at least fifty-nine and one-half years old may elect to receive an in-service distribution from the plan in any form permitted under § 3-13-80. The receipt of an in-service distribution pursuant to this section does not preclude the participant from continuing to make deferrals of compensation into the plan.

An Act to revise the conditions for in-service distributions from the South Dakota deferred compensation plan.

I certify that the attached Act originated in
the:
Senate as Bill No. 54

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. 54
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State