



2026 South Dakota Legislature
Senate Bill 63
ENROLLED

AN ACT

ENTITLED An Act to establish the state office of apprenticeship within the Department of Labor and Regulation.

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

Section 1. That a NEW SECTION be added to a NEW CHAPTER in title 60:

Terms used in this chapter mean:

- (1) "Apprentice," a worker at least sixteen years of age, except where a higher minimum age standard is otherwise fixed by law, who is employed to learn an apprenticeable occupation under the standards of a registered apprenticeship program approved by the department;
- (2) "Apprenticeable occupation," a job specified by an industry that involves the progressive attainment of skills, competencies, and knowledge; complies with 29 C.F.R. § 29.4 (January 1, 2026); and is:
 - (a) Clearly identified and commonly recognized throughout the relevant industry or occupation;
 - (b) Customarily learned or enhanced in a practical way through a structured, systematic program of on-the-job, supervised learning and related instruction to supplement the learning; and
 - (c) Offered through a time-based, competency-based, or hybrid model that the department has determined meets the requirements of this Act and 29 C.F.R. §§ 29.1 to 29.14, inclusive (January 1, 2026);
- (3) "Apprenticeship agreement," a written agreement between an apprentice and either the apprentice's sponsor or an apprenticeship committee acting as agent for the program sponsor, which:
 - (a) Complies with 29 C.F.R. § 29.7 (January 1, 2026); and
 - (b) Contains the terms and conditions of the employment and training of the apprentice;

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

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

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

The office shall:

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

The office is administered by the secretary of the department.

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

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

- (1) Program and performance standards for registering apprenticeship programs, as provided for in 29 C.F.R. §§ 29.1 to 29.14, inclusive (January 1, 2026);
- (2) Standards for an apprenticeship program eligible for registration, as provided for in 29 C.F.R. § 29.5 (January 1, 2026);
- (3) Contents of an apprenticeship agreement, as provided for in 29 C.F.R. § 29.7 (January 1, 2026);
- (4) Procedures and requirements for the registration of a program and an apprentice, as provided for in 29 C.F.R. § 29.5 (January 1, 2026);
- (5) Procedures and methods for monitoring compliance of apprenticeship programs, as provided for in 29 C.F.R. §§ 29.1 to 29.14, inclusive (January 1, 2026);
- (6) The provision of technical assistance to a program, as provided for in 29 C.F.R. § 29.13 (January 1, 2026);
- (7) Complaint procedures, as provided for in 29 C.F.R. § 29.12 (January 1, 2026);
- (8) Procedures and requirements for the cancellation, deregistration, or reinstatement of a registered apprenticeship program, as provided for in 29 C.F.R. §§ 29.8 and 29.9, (January 1, 2026);
- (9) Procedures and requirements for the temporary suspension, cancellation, or deregistration of an apprenticeship agreement, as provided for in 29 C.F.R. § 29.7 (January 1, 2026); and
- (10) The process for according reciprocal approval for federal purposes to an apprentice, apprenticeship program, and standards that are registered in other states by the United States Department of Labor, or a registration agency, if reciprocity is requested by a sponsor, as provided for in 29 C.F.R. § 29.13 (January 1, 2026).

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

An Act to establish the state office of apprenticeship within the Department of Labor and Regulation.

I certify that the attached Act originated in
the:
Senate as Bill No. 63

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. 63
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State