



2026 South Dakota Legislature
Senate Bill 82
ENROLLED

AN ACT

ENTITLED An Act to prohibit the misrepresentation of an animal as a service animal and to provide a penalty therefor.

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

Section 1. That a NEW SECTION be added to chapter 22-35:

An individual may not, directly or indirectly through statements or conduct, intentionally misrepresent an animal in that individual's possession as a service animal in any place of public accommodation to obtain any rights or privileges available to an individual who qualifies for a service animal under state or federal law, knowing that the individual is not entitled to those rights or privileges.

A violation of this section is a Class 2 misdemeanor.

For purposes of this section, "service animal" means a dog that is trained to do work or perform tasks for the benefit of an individual with a disability, as set forth in 28 C.F.R. § 36.104 (January 1, 2026), provided the work or tasks performed by the dog are directly related to the individual's disability. The crime deterrent effects of a dog's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks.

An Act to prohibit the misrepresentation of an animal as a service animal and to provide a penalty therefor.

I certify that the attached Act originated in
the:
Senate as Bill No. 82

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. 82
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State