



SOUTH DAKOTA REGISTER

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FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Notice of Proposed Rules

Date in parentheses indicates when rules were filed with the Legislative Research Council.
Copies of proposed rules may be obtained for no charge at <https://rules.sd.gov> or from the agency directly.

South Dakota Commission on Gaming (Department of Revenue): (October 30, 2023) intends to amend rules to correct errors and statutory references concerning authority due to the repeal of certain sections of the South Dakota Codified Laws, and to clarify that individuals are entitled to receive notice of administrative action. The general authority for these rules, as cited by the Commission, is SDCL [1-26-19.1](#), [42-7B-7](#), and [42-7B-11](#).

A public hearing will be held at the Commission Room, Deadwood City Hall, 102 Sherman Street, Deadwood, South Dakota, on December 12, 2023, at 9:00 a.m. (MT). Copies of the proposed rules may be obtained without charge from the South Dakota Commission on Gaming, 120 Industrial Drive, Suite 1, Spearfish, South Dakota, 57783, or online at <https://rules.sd.gov>. Comments may be emailed to mark.heltzel@state.sd.us. The deadline to submit written comments is 72 hours before the public hearing or 5:00 p.m. (MT) on December 6, 2023. This hearing is being held in a physically accessible location. Persons with special needs for which the Commission can make arrangements may call (605) 578-3074 at least 48 hours before the public hearing.

South Dakota Animal Industry Board (Department of Agriculture and Natural Resources): (November 1, 2023) intends to adopt a rule to clarify that sales of retail meat products would occur only when the producing retail store has full control of the sanitation, storage, and transportation of the products until purchased by the consumer. The general authority for this rule, as cited by the board, is SDCL [39-5-11.1](#) and [40-3-14](#).

A public hearing will be held at the Animal Industry Board Office, 411 South Fort Street, Pierre, South Dakota, on December 5, 2023, at 9:00 a.m. (CT). Copies of the proposed rules may be obtained without charge from, and written comments may be sent to, South Dakota Animal Industry Board, 411 South Fort Street, Pierre, South Dakota 57501. Material sent by mail must reach the board by December 1, 2023, to be considered. All written comments must include the name, city, and state of the person submitting the comments. This hearing is being held in a physically accessible location. Persons with special needs for which the commission can make arrangements may call (605) 773-3321 at least 48 hours before the public hearing.

Petition for Rules

The **Department of Game, Fish and Parks** on November 1, 2023, served on the Interim Rules Review Committee and interim director of the Legislative Research Council a petition received from an interested person, per [SDCL 1-26-13](#), to amend administrative rule to change archery deer licenses for nonresident hunters from Any Deer to Any Whitetail Deer ([ARSD 41:06:22:01](#)). The [Game, Fish and Parks Commission](#) reviewed the petition at its November 2, 2023, meeting.

Notice

The **Department of Social Services** intends to make a change to the South Dakota CHIP State Plan. The proposed state plan amendment (SPA) implements coverage of vaccines and their administration for adults without cost sharing in accordance with recommendations of the Advisory Committee on Immunization Practices (ACIP), as required by section 11405 of the Inflation Reduction Act (IRA). Currently, the CHIP program covers vaccines for enrollees without cost share. The SPA adds section 6.5 to page 89 of the South Dakota CHIP State Plan.

The department intends to make this SPA effective October 1, 2023, and estimates there will be no fiscal impact in Federal Fiscal Year 2024 and Federal Fiscal Year 2025.

The SPA is available to view on the department's website at <http://dss.sd.gov/medicaid/medicaidstateplan.aspx>. Copies of the proposed SPA pages are also available at the Department of Social Services, Division of Medical Services. Written requests for a copy of these changes, and corresponding comments, may be emailed to MedicaidSPA@state.sd.us or sent to the Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291. The public comment period will start November 6, 2023, and end December 6, 2023.

SCHEDULED PUBLIC HEARINGS

11-30-2023	Department of Health : Amend a rule to add Newborn Hearing Screening to South Dakota's newborn screening panel; 50 SDR 59, October 30, 2023.
12-5-2023	South Dakota Animal Industry Board (Department of Agriculture and Natural Resources) : Adopt a rule to clarify that sales of retail meat products would occur only when the producing retail store has full control of the sanitation, storage, and transportation of the products until purchased by the consumer; 50 SDR 60, November 6, 2023.
12-12-2023	South Dakota Commission on Gaming (Department of Revenue) : Amend rules to correct errors and statutory reference concerning authority due to the repeal of certain sections of the South Dakota Codified Laws, and to clarify that individuals are entitled to receive notice of administrative action; 50 SDR 60, November 6, 2023.

RULES REVIEW COMMITTEE MEETINGS

The final meeting of the Interim Rules Review Committee for the 2023 Interim is Tuesday, November 7, 2023, at 8:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. Find information regarding committee meetings in this publication, on the [LRC website](#), and at the Capitol.

The Drafting Manual for Administrative Rules in South Dakota is available on the [Administrative Rules Manual page](#) of the LRC website and is updated regularly to reflect changes in drafting styles and procedures.