



SOUTH DAKOTA REGISTER

Published weekly by the Legislative Research Council

Volume 51

Monday, 8:00 a.m., June 2, 2025

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.

Department of Social Services: (May 27, 2025) intends to amend and repeal rules to reduce the TANF payment standard amount by 10 percent and to combine the eligibility categories from three to two. The general authority for these rules, as cited by the department, is SDCL [28-7A-3](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Department of Social Services Building, Linden Conference Room C207, 1501 South Highline Avenue, Sioux Falls, South Dakota, on June 20, 2025, at 11:00 a.m. (CT). Interested parties may also attend by calling (605) 679-7263 and using conference code 183 579 146#. Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, Teresa Schulte, Administrative Rules C219, Department of Social Services, 1501 South Highline Avenue, Sioux Falls, South Dakota 57110. The rules are also available online at <http://rules.sd.gov>. Comments and requests for copies of the proposed rules may also be emailed to DSSAdminRules@state.sd.us. Written comments must reach the department by June 30, 2025, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the department can make arrangements may call (605) 674-5771 at least 48 hours before the public hearing.

South Dakota Public Utilities Commission: (May 28, 2025) intends to amend, adopt, or repeal rules to clarify procedures for filing and communications with the Commission; update information required when filing an application for an energy transmission facility permit; align party status requirements with previous statutory changes; update telecommunications provisions to align with current needs, technology, and federal regulations; repeal unnecessary telecommunications filing requirements; and update a pipeline safety definition to align with current federal regulations. The general authority for these rules, as cited by the commission, is SDCL [49-1-11](#), [49-31-76](#), [49-31-77](#), [49-31-81](#), [49-31-85](#), 49-34B-4, 49-34B-19, and [49-41B-35](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held in Room 413 of the State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota, on July 15, 2025, at 1:30 p.m. (CT). Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, the South Dakota Public Utilities Commission, State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070. Copies of the rules are also available at <https://puc.sd.gov/Dockets/Rulemaking/2025/RM25-001.aspx>. Comments may also be emailed to PUC@state.sd.us. Information submitted in writing must be received on or before July 29, 2025, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the commission can make arrangements may call (605) 773-3201 at least 48 hours before the public hearing.

South Dakota Transportation Commission (Department of Transportation): (May 29, 2025) intends to amend a rule to reduce the speed limit on U.S. Highway 12 from the east side of Aberdeen to Bath. The general authority for this rule, as cited by the department, is SDCL [32-25-7](#) and [32-25-7.1](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rule will be held in the Commission Room of the Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on June 26, 2025, at 9:00 a.m. (CT). Interested parties may also participate by telephone by calling (866) 705-2554 and using conference code 153277. Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, the Secretary of Transportation, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Copies of the rules are also available at <https://rules.sd.gov>. Comments may also be emailed to Joel.Jundt@state.sd.us. Information submitted in writing must be received on or before June 22, 2025, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the department can make arrangements may call the department's ADA Coordinator at (605) 773-3540 or (800) 877-1113 (Telecommunications Relay Services for the Deaf) at least 48 hours before the public hearing.

Department of Agriculture and Natural Resources: (May 30, 2025) intends to update South Dakota's existing air quality rules by incorporating updated, codified regulations by reference. The general authority for these rules, as cited by the department, is SDCL [34A-1-6](#), [34A-1-12](#), [34A-1-15](#), [34A-1-18](#), [34A-1-19](#), and [34A-1-21](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Matthew Training Center, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota, on July 17, 2025, at 10:00 a.m. (CT). Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, the Department of Agriculture and Natural Resources, Air Quality Program, 523 East Capitol Avenue, Pierre, South Dakota 57501. The rules are also available at <https://danr.sd.gov/public/default.aspx>. Copies may also be requested by email and comments may be emailed to Samantha.olmstead@state.sd.us. Material sent by mail must reach the department by July 11, 2025, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the department can make arrangements may call (605) 773-3151 at least 48 hours before the public hearing.

SCHEDULED PUBLIC HEARINGS

6-2-2025	<u>South Dakota Cosmetology Commission (Department of Labor and Regulation):</u> Amend a rule to increase license fees collected by the commission and add a new elective fee for the inspection of a prospective salon or booth; 51 SDR 122, May 12, 2025.
6-4-2025	<u>South Dakota Retirement System Board of Trustees:</u> Repeal certain sections, chapters, and articles of administrative rules pertaining to the South Dakota Retirement System as a result of the passage of House Bill 1029 by the 2025 South Dakota Legislature; 51 SDR 120, May 12, 2025.
6-5-2025	<u>Department of Game, Fish and Parks:</u> Amend rules to make Purple Heart recipients eligible for the disabled veteran lifetime state park entrance license and associated discounted camping fees; allow year-round fishing in the dredge-hole area of Lake Francis Case between the railroad bridge and the Interstate 90 bridge and causeway in Brule and Lyman counties; modify the unit description for the muskrat trapping season; modify the beaver trapping and hunting season in the Black Hills Fire Protection District; and update the harvest limit for river otters; 51 SDR 125, May 19, 2025.
6-12-2025	<u>South Dakota Board of Medical and Osteopathic Examiners (Department of Health):</u> Amend, repeal, and adopt rules to update the Emergency Medical Services personnel scope; enact a community paramedic endorsement; and update language regarding ambulance drivers and supervision requirements; 51 SDR 120, May 12, 2025.
6-12-2025	<u>South Dakota Board of Medical and Osteopathic Examiners (Department of Health):</u> Amend, repeal, and adopt rules to update supervision language, licensure requirements, and the Athletic Trainer Code of Ethics; 51 SDR 120, May 12, 2025.

6-12-2025	<u>South Dakota Aeronautics Commission (Department of Transportation)</u> : Amend or repeal rules to bring the rules into conformity with current statutory terminology and the processes used by the Aeronautics Commission and the department when issuing certificates of approval for airports, and update references to the law implemented and statutory authority for the rules; 51 SDR 129, May 27, 2025.
6-16-2025	<u>Department of Public Safety</u> : Amend rules to adopt the 2025 edition of the Commercial Vehicle Safety Alliance handbook, the requirements of Title 49 Code of Federal Regulations (CFR) 391.11(b)(2), and round down to the nearest dollar on prorated driver licensing fees, 51 SDR 130, May 27, 2025.
6-17-2025	<u>Department of Health</u> : Amend and repeal medical cannabis rules to add definitions for further clarity; repeal obsolete references; clean up the non-resident and establishment registration process; adjust a conversion calculation; modify and clarify the establishment operation processes; require an expiration date on products; and establish the imposition and payment of fines; 51 SDR 130, May 27, 2025.
6-17-2025	<u>South Dakota Commission on Gaming (Department of Revenue)</u> : Amend rules to incorporate the most recent version of the Association of Racing Commissioners International Uniform Clarification Guidelines for Foreign Substances and Recommend Penalties as applied to authorized drugs for horse racing; 51 SDR 130, May 27, 2025.
6-20-2025	<u>Department of Social Services</u> : Amend and repeal rules to reduce the TANF payment standard amount by 10 percent and to combine the eligibility categories from three to two; 51 SDR 133, June 2, 2025.
6-26-2025	<u>South Dakota Transportation Commission (Department of Transportation)</u> : Amend a rule to reduce the speed limit on U.S. Highway 12 from the east side of Aberdeen to Bath; 51 SDR 133, June 2, 2025.
7-14-2025	<u>South Dakota Board of Hearing Aid Dispensers and Audiologists (Department of Health)</u> : Amend rules to reflect changes made to statutes during the 2024 legislative session; provide general language clean-up to reflect current terminology and practice; and correct legal and authority references; 51 SDR 80, January 27, 2025.
7-15-2025	<u>South Dakota Public Utilities Commission</u> : Amend, adopt, or repeal rules to clarify procedures for filing and communications with the Commission; update information required when filing an application for an energy transmission facility permit; align party status requirements with previous statutory changes; update telecommunications provisions to align with current needs, technology, and federal regulations; repeal unnecessary telecommunications filing requirements; and update a pipeline safety definition to align with current federal regulations; 51 SDR 133, June 2, 2025.
7-17-2025	<u>Board of Minerals and Environment (Department of Agriculture and Natural Resources)</u> : Amend and adopt rules to remove unnecessary details regarding computation of time associated with the processing of mine permit applications; change the department's timeline for reviewing and responding to an applicant's response to deficiencies in a mine permit application from seven days to thirty days; change the requirement for board hearings to consider nominating petitions for updating the preliminary list of special, exceptional, critical, or unique lands from annual to as needed; clarify the requirement that permitted mine operators must meet when posting financial assurance to cover reclamation and post-closure liability; and clarify surety requirements pertaining to long-term water treatment costs; 51 SDR 129, May 27, 2025.
7-17-2025	<u>Department of Agriculture and Natural Resources</u> : Update South Dakota's existing air quality rules by incorporating updated, codified regulations by reference; 51 SDR 134, June 2, 2025.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2025 Interim is Tuesday, June 10, 2025, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. Future meetings for the 2025 Interim are scheduled for July 15, August 19, September 9, and October 7. Notices of future committee meetings will be posted 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.

SDCL 1-26A-1. Information from the Register is available free of charge on the LRC website (www.sdlegislature.gov/). You may subscribe for electronic delivery of the **South Dakota Register** at [My LRC+](#) on the LRC website.