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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 Board of Nursing (Department of Health): (June 5, 2025) intends to adopt and amend rules to update terms used; allow the board's compliance committee to issue a summary suspension; allow a registered nurse to delegate tracheostomy care and suctioning to a nursing assistant and to provide training and supervision requirements; and regulate certified nurse aides including nurse aid training program standards for approval, competency evaluation program requirements, registration requirements, and grounds for removal from the registry. The general authority for these rules, as cited by the board, is SDCL [13-33A-2](#), [34-12-29](#), [36-9-2](#), [36-9-21](#), and [36-9A-41](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Conference Room of the Holiday Inn Express and Suites, 3821 West Avera Drive, Sioux Falls, South Dakota, on August 5, 2025, 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 Board of Nursing, 203 South Louise Avenue, Suite 201, Sioux Falls, South Dakota 57106-3115. Copies of the rules are also available at <https://rules.sd.gov> and <https://www.sdbon.org/>. Comments may be emailed to linda.young@state.sd.us. The deadline to submit any such written comments for consideration is July 29, 2025. This hearing is being held in a physically accessible location. Persons with special needs for which the board can make arrangements may email linda.young@state.sd.us or call (605) 362-2760 at least 48 hours before the public hearing.

South Dakota Housing Development Authority: (June 6, 2025) intends to adopt and amend rules to establish a clear process for the application, approval, and disbursement of loans for the expansion of school districts located adjacent to military installations; and to clarify the distinction between housing infrastructure loans and loans specifically for school construction or expansion that originate from the same South Dakota Housing Infrastructure Fund. The general authority for these rules, as cited by the agency, is SDCL [11-15-6](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the South Dakota Housing Development Authority Boardroom, 3060 East Elizabeth Street, Pierre, South Dakota, on July 1, 2025, at 2:00 p.m. (CT). Interested parties may also participate remotely by calling 1-469-253-5858 and using conference ID 182 902 493# or by using the Microsoft Teams link posted on the agency's homepage, sdhousing.org, and using meeting ID 241 150 579 182 1 and passcode i83j77p7. Copies of the proposed rules may be obtained without charge from the South Dakota Housing Development Authority, 3060 East Elizabeth Street, P.O. Box 1237, Pierre, South Dakota 57501-5876 and are also available online at <https://www.sdhousing.org/development/infrastructure-financing> on the agency website or at <https://boardsandcommissions.sd.gov>. Written comments on the proposed rules may be sent to the South Dakota Housing Development Authority, 3060 East Elizabeth Street, Pierre, South Dakota 57501-5876 or by email to beverly@sdhda.org. Written and email comments must be received at least seventy-two hours before the date of the public hearing to be considered. All written and email comments must include the name, hometown/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 department can make arrangements may call (605) 773-5156 at least 48 hours before the public hearing.

Petition for Rules

The **Department of Game, Fish and Parks** on June 2, 2025, served on the Interim Rules Review Committee and the director of the Legislative Research Council, a petition received from an interested person, per [SDCL 1-26-13](#), to amend ARSD [41:06:01:09](#) to allow an individual to submit two applications in the third lottery drawing for unsold big game licenses. The [Game, Fish and Parks Commission](#) is scheduled to review the petition at its June 5, 2025, meeting.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Executive Order

Governor Rhoden has signed [Executive Order 2025-06](#) establishing the Governor's Resilient and Infrastructure Task Force (GRIT), a group tasked with developing policy recommendations, assessing risks and vulnerabilities, promoting cross-sector collaboration, facilitating public-private partnerships, and supporting long-term planning and investment in critical infrastructure systems to address emerging challenges related to physical and cyber threats. The Order, dated June 2, 2025, states that membership of the task force shall include representatives from appropriate state agencies for public safety, military, cybersecurity, water and wastewater, transportation, or other agencies as designated by the Governor; members from industry, utilities, the private sector, and academia; and subject matter experts in cybersecurity, emergency management, and critical infrastructure. The Governor shall designate a Chair and Vice Chair from among the members. The duties of the GRIT task force are to conduct a statewide infrastructure risk and resilience assessment; submit an annual GRIT report to the Governor with findings and recommendations; develop a South Dakota Resilience Framework to guide state and local planning efforts; propose legislative and funding initiatives to support resilience priorities; and coordinate with federal partners and regional resilience initiatives where applicable. The GRIT task force will remain in effect until dissolved by Executive Order or until such time as its mission is deemed complete by the Governor.

SCHEDULED PUBLIC HEARINGS

6-12-2025	South Dakota Board of Medical and Osteopathic Examiners (Department of Health) : 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	South Dakota Board of Medical and Osteopathic Examiners (Department of Health) : 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	South Dakota Aeronautics Commission (Department of Transportation) : 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	Department of Public Safety : 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	Department of Health : 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	South Dakota Commission on Gaming (Department of Revenue) : 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	Department of Social Services : 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	South Dakota Transportation Commission (Department of Transportation) : 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.
7-1-2025	South Dakota Housing Development Authority : Adopt and amend rules to establish a clear process for the application, approval, and disbursement of loans for the expansion of school districts located adjacent to military installations; and to clarify the distinction between housing infrastructure loans and loans specifically for school construction or expansion that originate from the same South Dakota Housing Infrastructure Fund; 51 SDR 136, June 9, 2025.
7-14-2025	South Dakota Board of Hearing Aid Dispensers and Audiologists (Department of Health) : 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	South Dakota Public Utilities Commission : 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	Board of Minerals and Environment (Department of Agriculture and Natural Resources) : 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	Department of Agriculture and Natural Resources : Update South Dakota's existing air quality rules by incorporating updated, codified regulations by reference; 51 SDR 134, June 2, 2025.
8-5-2025	South Dakota Board of Nursing (Department of Health) : Adopt and amend rules to update terms used; allow the board's compliance committee to issue a summary suspension; allow a registered nurse to delegate tracheostomy care and suctioning to a nursing assistant and to provide training and supervision requirements; and regulate certified nurse aides including nurse aid training program standards for approval, competency evaluation program requirements, registration requirements, and grounds for removal from the registry; 51 SDR 136, June 9, 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/).
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