



SOUTH DAKOTA REGISTER

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Final Administrative Rules

DEPARTMENT OF GAME, FISH AND PARKS: 41:06:01:12, 41:06:01:12.01; 41:06:02:03; 41:06:03:01.01; 41:06:16:09.01, 41:06:16:11; 41:06:19:02, 41:06:19:04; 41:06:22:01, 41:06:22:01.01, 41:06:22:03.01; 41:06:44:02; 41:06:45:01, 41:06:45:02, 41:06:45:04; 41:06:49:01, 41:06:49:04.

History/Notice: 51 SDR 110, April 22, 2025

Hearing: May 8, 2025

Filed: June 10, 2025

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DEPARTMENT OF SOCIAL SERVICES: 67:46:04:13; 67:46:05:15; 67:46:07:12.

History/Notice: 51 SDR 106, April 14, 2025

Hearing: May 16, 2025

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DEPARTMENT OF SOCIAL SERVICES: 67:14:32:32.

History/Notice: 51 SDR 107, April 14, 2025

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SOUTH DAKOTA ELECTRICAL COMMISSION (DEPARTMENT OF LABOR AND REGULATION): 20:44:18:01, 20:44:18:02, 20:44:18:03; 20:44:20:01, 20:44:20:02, 20:44:20:02.01, 20:44:20:03, 20:44:20:04, 20:44:20:05, 20:44:20:06, 20:44:20:07, 20:44:20:08, 20:44:20:09, 20:44:20:10, 20:44:20:12, 20:44:20:13; 20:44:23:04; 20:44:24:05, 20:44:24:06.

History/Notice: 51 SDR 101, March 31, 2025

Hearing: April 30, 2025

Filed: June 11, 2025

Effective: July 1, 2025

[**SOUTH DAKOTA TRANSPORTATION COMMISSION \(DEPARTMENT OF TRANSPORTATION\):**](#) 70:01:02:36, 70:01:02:58; 70:03:01:65.

History/Notice: 51 SDR 117, May 5, 2025
Hearing: May 29, 2025
Filed: June 11, 2025
Effective: July 1, 2025

[**SOUTH DAKOTA BOARD OF ACCOUNTANCY \(DEPARTMENT OF LABOR AND REGULATION\):**](#) 20:75:02:03; 20:75:03:01, 20:75:03:03, 20:75:03:08, 20:75:03:08.01, 20:75:03:11, 20:75:03:12, 20:75:03:13, 20:75:03:15, 20:75:03:16; 20:75:07:02, 20:75:07:05, 20:75:07:11.

History/Notice: 51 SDR 102, May 5, 2025
Hearing: May 28, 2025
Filed: June 11, 2025
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[**SOUTH DAKOTA BOARD OF ELECTIONS \(OFFICE OF THE SECRETARY OF STATE\):**](#) 05:02:03:01, 05:02:03:19, 05:02:03:27; 05:02:06:10.03; 05:02:09:05; 05:02:10:01.01, 05:02:10:04.

History/Notice: 51 SDR 106, April 14, 2025
Hearing: May 7, 2025
Filed: June 11, 2025
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[**SOUTH DAKOTA COSMETOLOGY COMMISSION \(DEPARTMENT OF LABOR AND REGULATION\):**](#) 20:42:03:03.

History/Notice: 51 SDR 121, May 12, 2025
Hearing: June 2, 2025
Filed: June 11, 2025
Effective: July 1, 2025

[**SOUTH DAKOTA BOARD OF EDUCATION STANDARDS \(DEPARTMENT OF EDUCATION\):**](#) 24:28:01:01; 24:28:02:02.01, 24:28:02:02.02; 24:28:06:02; 24:28:07:03; 24:28:08:03; 24:28:09:03, 24:28:09:03.01, 24:28:09:44; 24:28:12:11; 24:28:15:08, 24:28:15:09, 24:28:15:10, 24:28:15:11; 24:28:16:03, 24:28:16:05; 24:53:09:08.

History/Notice: 51 SDR 110, April 22, 2025
Hearing: May 27, 2025
Filed: June 11, 2025
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[**SOUTH DAKOTA PLUMBING COMMISSION \(DEPARTMENT OF LABOR AND REGULATION\):**](#) 20:53:02:19, 20:53:02:21; 20:53:03:01, 20:53:03:05, 20:53:03:09; 20:53:04:04, 20:53:04:05, 20:53:04:09; 20:53:05:02, 20:53:05:05, 20:53:05:08; 20:53:06:02, 20:53:06:05, 20:53:06:08; 20:53:07:03, 20:53:07:06, 20:53:07:09; 20:53:08:03, 20:53:08:06, 20:53:08:09; 20:53:10:02, 20:53:10:03; 20:53:12:01, 20:53:12:02, 20:53:12:03, 20:53:12:04.

History/Notice: 51 SDR 120, May 12, 2025
Hearing: May 29, 2025
Filed: June 12, 2025
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SOUTH DAKOTA DIVISION OF INSURANCE (DEPARTMENT OF LABOR AND REGULATION): 20:06:12:07; 20:06:18:05, 20:06:18:05.03, 20:06:18:06, 20:06:18:14, 20:06:18:17; 20:06:19:04; 20:06:25:01, 20:26:25:01.01, 20:06:25:01.02, 20:06:25:02; 20:06:26:01; 20:06:36:01; 20:06:59:01.

History/Notice: 51 SDR 114, April 28, 2025

Hearing: May 19, 2025

Filed: June 13, 2025

Effective: July 3, 2025

SCHEDULED PUBLIC HEARINGS

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 of 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.
7-1-2025	<u>South Dakota Housing Development Authority:</u> 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	<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	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, July 15, 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 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.