



SOUTH DAKOTA REGISTER

Published weekly by the Legislative Research Council

Volume 52

Tuesday, 8:00 a.m., January 20, 2026

LEGISLATIVE RESEARCH COUNCIL ACTIONS

Apparent Error in Rules Addressed

Pursuant to authority provided in [SDCL 1-26A-1](#), and in consultation with the Department of Health, code counsel has corrected an apparent error in [ARSD 44:90:12:10](#), depicted in relevant part as follows:

44:90:12:10. Imposition of fines -- Violations. The department may, in addition to, or in lieu of, suspension, revocation, or any other penalty allowed pursuant to SDCL chapter 34-20G, assess fines against an establishment based on the following violations of SDCL chapter ~~34-20B~~ [34-20G](#) or this article: . . .

This error was apparent because the remaining content of the section only listed statutory violations of SDCL chapter 34-20G.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Executive Orders

Governor Rhoden has signed [Executive Order 2026-02](#) officially renaming the Bureau of Information and Telecommunications to the Bureau of Information and Technology (BIT), citing authority provided in Article IV, Section 8 of the South Dakota Constitution. The Order, dated January 13, 2026 and becoming effective ninety days after its submission to the South Dakota Legislature unless disapproved by a resolution adopted by a majority of legislators in either chamber, transfers the functions and programs of the former Bureau of Information and Telecommunications, along with the functions of the former Commissioner of Information and Telecommunications, to the Bureau of Information and Technology and the Commissioner of Information and Technology, respectively. If not disapproved by the South Dakota Legislature, the legal name change will take effect April 13, 2026.

Governor Rhoden has also signed [Executive Order 2026-03](#), dated January 15, 2026, clarifying guidelines for the administration of the Employer's Investment in South Dakota's Future Fund, commonly called the "Future Fund." The Future Fund was established by the Legislature in 1987. The purpose of the Order, as described in the document, is to direct the Governor's Office of Economic Development (GOED) to consider as Future Fund grant recipients, projects that will advance research and economic development in South Dakota, with priority on the following opportunities:

- Research projects or necessary equipment that create and maintain jobs, focusing on: advanced manufacturing, bioscience or bioprocessing, cybersecurity, livestock development, national security or national defense, precision agriculture, and value-added agriculture;
- Scholarships that support South Dakota students for careers in South Dakota;
- Workforce development including apprenticeships, workforce training or recruitment, and other career or technical education uses;
- Development of industrial parks or other infrastructure that support economic development;
- South Dakota business retention or expansion or out-of-state recruitment efforts to South Dakota; or

- Support for other entities that advance these goals, including planning districts, small business development centers, and local economic development entities.

It also establishes standards for the administration of the Future Fund, which include requirements for business plans from applicants; signed agreements prior to any disbursement of funds; the awarding of grants on a reimbursement basis, with an itemized invoice of expenditures and proof of payment required prior to fund disbursement; matching commitments or in-kind consideration for benefitted entities; conflict of interest policies of grant recipients; posting of executed agreements on OpenSD; and the approval of the Governor for each grant, after receipt of a detailed recommendation for the award from GOED. The Order goes into effect immediately.

SCHEDULED PUBLIC HEARINGS

1-20-2026	No hearings scheduled.
-----------	------------------------

RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will meet in March of 2026 to set their meeting schedule for the 2026 Interim. 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.