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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.

Department of Revenue: (August 10, 2026) intends to adopt rules to establish application requirements for nicotine product licensees, inspection procedures, recordkeeping requirements for licensees, violation procedures, and product disposal or return requirements for retail licensees. The general authority for these rules, as cited by the department, is SDCL [10-50E-16](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held in Room 109 of the Anderson Building, 445 East Capitol Avenue, Pierre, South Dakota, on September 9, 2026, at 10:30 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 Revenue, 445 East Capitol Avenue, Pierre, South Dakota 57501. Copies of the proposed rules may also be obtained at <https://rules.sd.gov> or by calling (605) 773-6314. Comments may also be emailed to Morgan.Maier@state.sd.us. Information submitted in writing must be received on or before September 23, 2026, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for whom the department can make arrangements may call (605) 773-6314 at least forty-eight hours before the public hearing.

Department of Health: (August 12, 2026) intends to amend rules to update and clarify the Department of Health's waiver application requirements, including definitions, documentation order, acceptance procedures, and fee processing, to ensure submissions meet U.S. Department of State standards. The general authority for these rules, as cited by the department, is SDCL [36-2-22](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Hayes Building First Floor Conference Room, 600 East Capitol Avenue, Pierre, South Dakota, on September 9, 2026, at 3:00 p.m. (CT). Copies of the proposed rules may be obtained without charge from the Department of Health, Office of Rural Health and Emergency Services, 600 East Capitol Avenue, Pierre, South Dakota 57501; copies are also available online at <https://rules.sd.gov>. Written comments on the proposed rules may be sent to the Department of Health, Office of Rural Health and Emergency Services, 600 East Capitol Avenue, Pierre, South Dakota 57501 or emailed to DeAnn.Sprenger@state.sd.us. The deadline to submit any written comments for consideration is September 19, 2026. This hearing is being held in a physically accessible location. Persons with special needs for whom the department can make arrangements may call (605) 773-3361 at least 48 hours before the public hearing.

Department of Game, Fish and Parks: (August 14, 2026) intends to amend rules to allow limited harvest of muskellunge and northern-muskellunge (tiger) cross, establishing a daily limit of one fish, a possession limit of two fish, and a minimum length limit of forty-five inches; modify the transportation requirements for paddlefish harvested during the archery season below Gavins Point Dam by allowing harvested paddlefish to be cleaned prior to transport; remove the annual submission of a summary report for retail bait dealers as a requirement for license renewal and specify an annual summary report needs to be submitted by wholesale and export bait dealers; update the list of fish pathogens

of regulatory concern that must be tested before fish importation permits may be issued; clarify the dates during which fishing tournaments are prohibited by specifying that tournaments may not be conducted on the Friday preceding the Fourth of July weekend when Independence Day falls on a Friday, Saturday, Sunday, or Monday; modify the list of state endangered bird species; update the list of aquatic invasive species by adding the golden mussel to the list of aquatic invasive invertebrates recognized by the department; and establish exemptions from aquatic invasive species conveyance launching and removal requirements for specific circumstances involving aquatic conveyances. The general authority for these rules, as cited by the department, is SDCL [32-3A-1](#), [34A-8-3](#), and [41-2-18](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Holiday Inn Express, 1360 SD-44, Winner, South Dakota, on September 10, 2026, at 1:00 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 Secretary of the Department of Game, Fish and Parks, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501. Copies of the proposed rules may also be obtained by calling (605) 773-3718. Comments may also be submitted at <http://gfp.sd.gov/forms/positions>. The comment period will close 72 hours prior to the date of the hearing. This hearing is being held in a physically accessible location. Persons with special needs for whom the department can make arrangements may call (605) 773-3718.

SCHEDULED PUBLIC HEARINGS

August 19, 2026

Department of Human Services: Amend rules to standardize and clarify critical incident reporting requirements; make restoration plans dependent on ISP progress, rather than time limited; allow providers an additional month to file cost reports and audits; standardize insurance requirements; provide a standardized format to assist in participant safety monitoring data analysis; update the CHOICES waiver services to match the federally approved waiver; and avoid conflict and redundancy with federal requirements, while requiring opportunity for discussion of all medications with clients at the South Dakota Developmental Center; 53 SDR 4, July 12, 2026.

August 25, 2026

South Dakota Public Utilities Commission: Repeal outdated, redundant, or preempted rules or portions of rules, and unnecessary telecommunications filing requirements; amend rules to clarify the process for filing of confidential information; update language in the general rules and gas and electric rules to clarify and simplify the requirements and update complaint requirements; clarify the procedure for release of a grain buyer bond and to require the provision of necessary information on voluntary credit sale contracts for grain transactions; update telecommunications provisions to align with current needs and technology; and update a pipeline safety notification requirement to ensure necessary information is provided to the commission; 53 SDR 6, July 20, 2026.

August 27, 2026

South Dakota Transportation Commission (Department of Transportation): Amend a rule to change speed limits on various highway segments in Union County and eliminate speed limit rule provisions that are no longer needed; 53 SDR 13, August 3, 2026.

September 9, 2026

Department of Revenue: Adopt rules to establish application requirements for nicotine product licensees, inspection procedures, recordkeeping requirements for licensees, violation procedures, and product disposal or return requirements for retail licensees; 53 SDR 17, August 17, 2026.

Department of Health: Amend rules to update and clarify the Department of Health's waiver application requirements, including definitions, documentation order, acceptance procedures, and fee processing, to ensure submissions meet U.S. Department of State standards; 53 SDR 17, August 17, 2026.

September 10, 2026

Department of Game, Fish and Parks: (August 14, 2026) intends to amend rules to allow limited harvest of muskellunge and northern-muskellunge (tiger) cross, establishing a daily limit of one fish, a possession limit of two fish, and a minimum length limit of forty-five inches; modify the transportation requirements for paddlefish harvested during the archery season below Gavins Point Dam by allowing harvested paddlefish to be cleaned prior to transport; remove the annual submission of a summary report for retail bait dealers as a requirement for license renewal and specify an annual summary report needs to be submitted by wholesale and export bait dealers; update the list of fish pathogens of regulatory concern that must be tested before fish importation permits may be issued; clarify the dates during which fishing tournaments are prohibited by specifying that tournaments may not be conducted on the Friday preceding the Fourth of July weekend when Independence Day falls on a Friday, Saturday, Sunday, or Monday; modify the list of state endangered bird species; update the list of aquatic invasive species by adding the golden mussel to the list of aquatic invasive invertebrates recognized by the department; and establish exemptions from aquatic invasive species conveyance launching and removal requirements for specific circumstance involving aquatic conveyances; 53 SDR 17, August 17, 2026.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2026 Interim is Tuesday, August 18, 2026, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the State Capitol. Future meetings for the 2026 Interim are scheduled for September 8 and October 14. 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.