



SOUTH DAKOTA REGISTER

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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 Health: (August 21, 2026) intends to amend rules to update and clarify requirements through Article 44:90 to align with current medical cannabis industry standards, improve consistency, and modernize administrative processes. The general authority for these rules, as cited by the department, is SDCL [34-20G-1](#) and [34-20G-72](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Floyd Matthew Training Center, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota, on September 23, 2026, at 10:00 a.m. (CT). Copies of the proposed rules may be obtained without charge from the Department of Health, Office of Medical Cannabis, 600 East Capitol Avenue, Pierre, South Dakota 57501; copies are also available online at doh.sd.gov/News or <https://rules.sd.gov>. Written comments on the proposed rules may be sent to the Department of Health, Office of Medical Cannabis, 600 East Capitol Avenue, Pierre, South Dakota 57501 or by going to <https://rules.sd.gov>. The deadline to submit any written comments for consideration is October 3, 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 Health: (August 25, 2026) intends to amend a rule to add Duchenne Muscular Dystrophy, Mucopolysaccharidosis Type I, and Mucopolysaccharidosis Type II to South Dakota's newborn screening panel. The general authority for this rule, as cited by the department, is SDCL [34-24-25](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rule will be held at the Sioux Falls One Stop, Conference Room Oak B, 1501 South Highline Avenue, Sioux Falls, South Dakota, on September 23, 2026, at 2:00 p.m. (CT). Copies of the proposed rule may be obtained without charge from the Department of Health, 600 East Capitol Avenue, Pierre, South Dakota 57501; copies are also available online at doh.sd.gov/News or <https://rules.sd.gov>. Written comments on the proposed rule may be sent to the Department of Health, Newborn Screening Program, 1501 South Highline Avenue, Suite 3D, Sioux Falls, South Dakota 57110 or emailed to DOHNewbornScreening@state.sd.us. The deadline to submit any written comments for consideration is October 3, 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) 367-5363 at least 48 hours before the public hearing.

Department of Health: (August 25, 2026) intends to adopt rules to establish design, construction, and operational standards for biological filtration pools at lodging establishments as required by [House Bill 1299](#), approved by the 2026 South Dakota Legislature. The general authority for these rules, as cited by the department, is SDCL [34-18-10.5](#) and [34-18-22](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Robert Hayes Building Conference Room, 600 East Capitol Avenue, Pierre, South Dakota, on

September 24, 2026, at 1:00 p.m. (CT). Copies of the proposed rules may be obtained without charge from the Department of Health, 600 East Capitol Avenue, Pierre, South Dakota 57501; copies are also available online at doh.sd.gov/News or <https://rules.sd.gov>. Written comments on the proposed rules may be sent to the Department of Health, Office of Health Protection, 600 East Capitol Avenue, Pierre, South Dakota 57501 or by going to <https://rules.sd.gov>. The deadline to submit any written comments for consideration is October 4, 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.

South Dakota Lottery Commission (Department of Revenue): (August 26, 2026) intends to amend rules to provide the Executive Director the authority to suspend, revoke, or deny video lottery licenses; to clarify a minimum test period for new video lottery game software; permit online training and testing for video lottery technicians; eliminate log book requirements; clarify that ticket voucher credits must be redeemed by the close of the business day; and permit the sale of video lottery machines between operators. The general authority for these rules, as cited by the commission, is SDCL [42-7A-4](#), [42-7A-21](#), and [42-7A-43](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held in Room 412 of the State Capitol, 500 East Capitol Avenue, Pierre, South Dakota, on September 17, 2026, at 9:45 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, Attn: Morgan Maier, 445 East Capitol Avenue, Pierre, South Dakota 57501. Comments may also be sent by email to Morgan.Maier@state.sd.us. Copies of the rules are also available online at <https://rules.sd.gov> or may be obtained by calling (605) 773-6314. Material sent by mail or email must reach the commission by September 11, 2026, by 5:00 p.m. (CT) to be considered. This hearing is being held in a physically accessible location. Persons with special needs for whom the commission can make arrangements may call (605) 773-3311 at least 48 hours before the public hearing.

South Dakota Division of Insurance (Department of Labor and Regulation): (August 26, 2026) intends to adopt a rule to define the word "resident" for an individual producer, business entity, or applicant; amend rules to update and incorporate by reference the most recent edition of guidelines pertaining to coverage for preventative items and services, and to include the best interest standard for broker-dealers; and repeal Appendix A to incorporate the most recent edition of guidelines. The general authority for these rules, as cited by the division, is SDCL [47-31B-605](#), [58-17-87](#), [58-18-79](#), and [58-30-195](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held in the Oahe Conference Room, 124 South Euclid Avenue, 1st Floor, Pierre, South Dakota, on September 21, 2026, at 3:00 p.m. (CT). Copies of the proposed rules may be obtained without charge from, and written comments may be sent to, South Dakota Division of Insurance, Administrative Rules, 124 South Euclid Avenue, 2nd Floor, Pierre, South Dakota 57501. Comments may also be emailed to lisa.harmon@state.sd.us. Information submitted in writing must be received on or before October 1, 2026, to be considered. Copies of the proposed rules are also available at http://dlr.sd.gov/insurance/admin_rules/public_hearings.aspx and <https://rules.sd.gov/>, by phone call to (605) 773-3563, or by email request to lisa.harmon@state.sd.us. Members of the public wishing to appear at the hearing remotely should contact the division for more information by September 15, 2026. This hearing is being held in a physically accessible location. Persons with special needs for whom the division can make arrangements may call (605) 773-3563 at least 48 hours before the public hearing.

Department of Health: (August 28, 2026) intends to amend rules to update and clarify vital records requirements by modernizing terminology; refining filing and amendment procedures; and improving consistency across birth, death, and marriage registration processes. The general authority for these rules, as cited by the department, is SDCL [34-25-9](#), [34-25-9.1](#), [34-25-16.1](#), [34-25-42](#), [34-25-44](#), [34-25-51](#), [34-25-52](#), and [34-25-52.4](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Robert Hayes Building Conference Room, 600 East Capitol Avenue, Pierre, South Dakota, on September 24, 2026, at 10:00 a.m. (CT). Copies of the proposed rules may be obtained without charge from the Department of Health, 600 East Capitol Avenue, Pierre, South Dakota 57501; copies are also available online at

doh.sd.gov/News or <https://rules.sd.gov>. Written comments on the proposed rules may be sent to the Department of Health, Office of Vital Records, 600 East Capitol Avenue, Pierre, South Dakota 57501 or by going to <https://rules.sd.gov>. The deadline to submit any written comments for consideration is October 4, 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.

SCHEDULED PUBLIC HEARINGS

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: 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.

Department of Revenue: Repeal, amend, and adopt rules to establish procedures for permanent closure of a motor vehicle dealer; establish certain required uses of the department's 605Drive system; permit retention of electronic records; require retention of certain paper records for at least a year; require document fees be advertised for customers, in accordance with federal law; prohibit the use of "broker" and "wholesale" in dealer names and advertising materials; and provide form and style adjustments; 53 SDR 21, August 24, 2026.

September 17, 2026

South Dakota Lottery Commission (Department of Revenue): Amend rules to provide the Executive Director the authority to suspend, revoke, or deny video lottery licenses; to clarify a minimum test period for new video lottery game software; permit online training and testing for video lottery technicians; eliminate log book requirements; clarify that ticket voucher credits must be redeemed by the close of the business day; and permit the sale of video lottery machines between operators. The general authority for these rules, as cited by the commission, is SDCL [42-7A-4](#), [42-7A-21](#), and [42-7A-43](#); 53 SDR 26, August 31, 2026.

September 21, 2026

South Dakota Division of Insurance (Department of Labor and Regulation): Adopt a rule to define the word "resident" for an individual producer, business entity, or applicant; amend rules to update and incorporate by reference the most recent edition of guidelines pertaining to coverage for preventative items and services, and to include the best interest standard for broker-dealers; and repeal Appendix A to incorporate the most recent edition of guidelines; 53 SDR 26, August 31, 2026.

September 22, 2026

South Dakota Transportation Commission (Department of Transportation): Amend rules to change speed limits on State Trunk Highway 115 north of Sioux Falls in Minnehaha County, U.S. Highway 83 near Onida in Sully County, and South Dakota Highway 248 in and around Kadoka in Jackson County; update highway references and eliminate speed limit provisions that are no longer needed because of highway jurisdictional transfers; and change when the terms "business" and "person" are used in rules pertaining to contractor prequalification to submit bids for highway construction projects; 53 SDR 21, August 24, 2026.

September 23, 2026

Department of Health: Amend rules to update and clarify requirements through Article 44:90 to align with current medical cannabis industry standards, improve consistency, and modernize administrative processes; 53 SDR 25, August 31, 2026.

Department of Health: Amend a rule to add Duchenne Muscular Dystrophy, Mucopolysaccharidosis Type I, and Mucopolysaccharidosis Type II to South Dakota's newborn screening panel; 53 SDR 25, August 31, 2026.

September 24, 2026

Department of Health: Adopt rules to establish design, construction, and operational standards for biological filtration pools at lodging establishments as required by [House Bill 1299](#), approved by the 2026 South Dakota Legislature; 53 SDR 25, August 31, 2026.

Department of Health: Amend rules to update and clarify vital records requirements by modernizing terminology; refining filing and amendment procedures; and improving consistency across birth, death, and marriage registration processes; 53 SDR 26, August 31, 2026.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2026 Interim is Wednesday, September 9, 2026, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the State Capitol. The final scheduled meeting for the 2026 Interim is 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.