



SOUTH DAKOTA REGISTER

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Monday, 8:00 a.m., September 14, 2026

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 Plumbing Commission (Department of Labor and Regulation): (September 9, 2026) intends to amend, adopt, and repeal rules to align notification requirements to the functionality of a new database; align rules with the intention of SDCL chapter 36-25; clean up language; and clarify existing rules. The general authority for these rules, as cited by the commission, is SDCL [36-25-14](#), [36-25-15](#), [36-25-15.1](#), and [36-25-19.1](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held via video conference on October 2, 2026, at 10:00 a.m. (CT). Individuals may participate through [Microsoft Teams](#) by using meeting ID 235 389 776 557 143 and passcode EX2d7o7W or by calling (605) 679-7263 and using conference ID 445 326 161#. 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 Labor and Regulation, Plumbing Commission, 217 W. Missouri Avenue, Pierre, South Dakota 57501. Comments may also be emailed to SDPlumbing@state.sd.us. Copies of the rules are also available at <https://rules.sd.gov> or may be obtained by calling (605) 773-3429. The deadline to submit written comments is 10:00 a.m. (CT) on September 29, 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) 773-3429 at least 48 hours before the public hearing.

Notice

The **Department of Social Services** intends to hold the annual public forum regarding the Former Foster Care Youth Demonstration as required by 42 CFR 431.420. The demonstration was approved by the Center for Medicare and Medicaid Services on May 1, 2018, and reapproved October 30, 2023, granting the state a five-year extension. The demonstration provides the state the authority to continue Medicaid coverage for individuals who were in foster care under the responsibility of another state, were enrolled in Medicaid in that state, and now reside in South Dakota. As of September 1, 2026, there are no individuals covered under the demonstration.

To be eligible for Medicaid coverage under the demonstration, an individual must meet the following criteria:

- Be a citizen of the United States or have a non-citizen status that qualifies for federally funded Medicaid;
- Be a South Dakota resident;
- Are under the age of twenty-six;
- Are not otherwise mandatorily eligible for coverage under the state plan;
- Were in foster care under the responsibility of another state or Tribe on the date of attaining eighteen years of age (or such higher age as the state has elected for termination of federal foster care assistance under title IV-E of the Act);

- Were enrolled in Medicaid on the date of aging out; and
- Are now applying for Medicaid in South Dakota.

The forum, which gives the public an opportunity to provide feedback regarding the demonstration project, will be held October 15, 2026, at 1:00 p.m. (CT) at the Kneip Building, Kneip 1 Conference Room, 700 Governors Drive, Pierre, South Dakota. Attendees may also join via Microsoft Teams at <https://teams.microsoft.com/meet> using meeting ID 242 714 098 667 107 and passcode Wf3sm9cc. A copy of the demonstration is available on the department's website at <https://dss.sd.gov/medicaid/1115waiver.aspx>.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

DEPARTMENT OF HEALTH: Article 44:74; 44:70:01:01, 44:70:01:05; 44:70:04:11; 44:70:05:04, 44:70:05:05, 44:70:05:06; 44:70:07:04; 44:70:09:03; 44:73:01:01; 44:73:04:06; 44:73:06:07, 44:73:06:14, 44:73:06:15; 44:73:08:04, 44:73:08:06.

History/Notice: 52 SDR 128, June 22, 2026

Hearing: July 21, 2026

Filed: September 4, 2026

Effective: September 24, 2026

SOUTH DAKOTA TRANSPORTATION COMMISSION (DEPARTMENT OF TRANSPORTATION): 70:01:02:62.

History/Notice: 53 SDR 13, August 3, 2026

Hearing: August 27, 2026

Filed: September 9, 2026

Effective: September 29, 2026

DEPARTMENT OF GAME, FISH AND PARKS: 41:06:00:01:02; 41:06:13:02; 41:06:14:02, 41:06:14:02:01.

History/Notice: 52 SDR 129, June 22, 2026

Hearing: July 9, 2026

Filed: September 9, 2026

Effective: September 29, 2026

DEPARTMENT OF GAME, FISH AND PARKS: 41:09:01:04, 41:09:01:04:01, 41:09:01:04:03.

History/Notice: 52 SDR 128, June 22, 2026

Hearing: July 9, 2026

Filed: September 9, 2026

Effective: September 29, 2026

SOUTH DAKOTA ANIMAL INDUSTRY BOARD (DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES): 12:68:01:01; 12:68:03:05, 12:68:03:07, 12:68:03:12; 12:68:04:01:01, 12:68:04:09, 12:68:04:32; 12:68:07:03; 12:68:09:07; 12:68:12:04; 12:68:13:02, 12:68:13:04, 12:68:13:13, 12:68:13:15, 12:68:13:18, 12:68:13:37; 12:68:14:01; 12:68:16:01, 12:68:16:03, 12:68:16:07, 12:68:16:09; 12:68:17:11; 12:68:18:07; 12:68:19:09; 12:68:20:04; 12:68:21:01; 12:68:23:02, 12:68:23:11; 12:68:24:01, 12:68:24:04; 12:68:25:01; 12:68:28:01, 12:68:28:02; 12:68:29:02, 12:68:29:05, 12:68:29:08, 12:68:29:09, 12:68:29:11.

History/Notice: 52 SDR 119, May 27, 2026

Hearing: July 14, 2026

Filed: September 10, 2026

Effective: September 30, 2026

SOUTH DAKOTA BRAND BOARD (DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES): 12:10:02:05.

History/Notice: 53 SDR 6, July 20, 2026

Hearing: August 5, 2026

Filed: September 10, 2026

Effective: September 30, 2026

SOUTH DAKOTA COMMISSION ON GAMING (DEPARTMENT OF REVENUE): 20:04:33:01, 20:04:33:06, 20:04:33:25, 20:04:33:81, 20:04:33:82, 20:04:33:83, 20:04:33:84, 20:04:33:85, 20:04:33:86, 20:04:33:87, 20:04:33:88, 20:04:03:89, 20:04:33:90, 20:04:33:91, 20:04:33:92, 20:04:33:93, 20:04:33:94, 20:04:33:95, 20:04:33:96, 20:04:33:97, 20:04:33:98, 20:04:33:99, 20:04:33:100, 20:04:33:101, 20:04:33:102, 20:04:22:103, 20:04:33:104, 20:04:33:105, 20:04:33:106; 20:04:34:01, 20:04:34:02, 20:04:34:03, 20:04:34:04, 20:04:34:05, 20:04:34:06, 20:04:34:07, 20:04:34:08, 20:04:34:09, 20:04:34:10, 20:04:34:11, 20:04:34:12, 20:04:34:13; 20:04:35:01, 20:04:35:02, 20:04:35:03, 20:04:35:04, 20:04:35:05, 20:04:35:06, 20:04:35:07, 20:04:35:08, 20:04:35:09, 20:04:35:10, 20:04:35:11, 20:04:35:12, 20:04:35:12, 20:04:35:14, 20:04:35:15, 20:04:35:16, 20:04:35:17, 20:04:35:18, 20:04:35:19, 20:04:35:20, 20:04:35:21, 20:04:35:22, 20:04:35:23, 20:04:35:24, 20:04:35:25, 20:04:35:26, 20:04:35:27, 20:04:35:28, 20:04:35:29, 20:04:35:30, 20:04:35:31, 20:04:35:32, 20:04:35:33, 20:04:35:34, 20:04:35:35, 20:04:35:36, 20:04:35:37.

History/Notice: 52 SDR 122, June 8, 2026

Hearing: June 23, 2026

Filed: September 10, 2026

Effective: September 30, 2026

SOUTH DAKOTA COMMISSION ON GAMING (DEPARTMENT OF REVENUE): 20:04:27:12, 20:04:27:14; 20:18:15:30.20, 20:18:15:30.21; 20:18:16:15.25.

History/Notice: 52 SDR 116, May 26, 2026

Hearing: June 23, 2026

Filed: September 10, 2026

Effective: September 30, 2026

DEPARTMENT OF SOCIAL SERVICES: 67:16:01:08; 67:16:25:06.01, 67:16:25:06.02, 67:16:26:05; 67:16:41:01, 67:16:41:03.

History/Notice: 53 SDR 10, July 27, 2026

Hearing: August 14, 2026

Filed: September 11, 2026

Effective: October 1, 2026

SCHEDULED PUBLIC HEARINGS

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; 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.

South Dakota Commission on Gaming (Department of Revenue): Amend a rule to modify the existing structure and include alternate pay tables for the 21 + 3 game, a blackjack variation of play; 53 SDR 29, September 8, 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.

Department of Labor and Regulation: Amend rules to revise the life expectancy tables for the purpose of calculating compensation lump sum payments under ARSD 47:03:01:07; 53 SDR 29, September 8, 2026.

Department of Labor and Regulation: Adopt rules to establish the State Apprenticeship Agency (SAA). Specifically, the rules define administrative duties, registration procedures, program standards, review requirements, actions involving apprenticeship programs, reciprocity processes, and complaint procedures; and align South Dakota with federal apprenticeship requirements under 29 CFR Part 29, allowing the SAA to administer, register, oversee, and enforce Registered Apprenticeship Programs requirements at the state level; 53 SDR 29, September 8, 2026.

September 29, 2026

School Finance Accountability Board (Department of Education): Amend and repeal rules to clarify the process for which a district may request a waiver from the School Finance Accountability Board regarding the state minimum teacher salary, average teacher salary, or the general fund cash balance requirements, and to remove the Joint Committee on Appropriations from the waiver process; 53 SDR 30, September 8, 2026.

October 2, 2026

South Dakota Plumbing Commission (Department of Labor and Regulation): Amend, adopt, and repeal rules to align notification requirements to the functionality of a new database; align rules with the intention of SDCL 36-25; clean up language; and clarify existing rules; 53 SDR 33, September 14, 2026.

RULES REVIEW COMMITTEE MEETINGS

The final scheduled meeting of the Interim Rules Review Committee for the 2026 Interim is Wednesday, October 14, 2026, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the State Capitol. 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.