

LRC Form & Style Version – Potential Amendments

24:18:02:04. Final decision. Within thirty days of the hearing or receipt of the transcript of hearing, whichever is later, the commission or hearing examiner shall prepare and serve a proposed decision and findings of fact and conclusions of law on the parties and provide an opportunity for each party to file exceptions and briefs. The final proposed decision and findings of fact and conclusions of law shall be filed with the secretary. The secretary shall issue a final decision and accept, reject, or modify the findings, conclusions, and proposed decision. Nothing in this section prohibits the secretary from requiring additional evidence within the scope of the notice of hearing.

Source:

General Authority: SDCL 13-1-12.1, 13-42-3.

Law Implemented: SDCL 13-1-12.1, 13-42-1, 13-42-1.2, 13-42-3, 13-42-4.

24:18:02:07. Consolidation of actions. If an applicant is the subject of a complaint before the commission pursuant to SDCL chapters 13-42 and 13-43, the notice of denial ~~shall~~ may be referred to the commission for hearing and consolidated with the complaint. If there is a conflict between the procedures for resolution of the complaint and the procedures in this article, the procedures for resolution of the complaint shall control.

Source:

General Authority: SDCL 13-1-12.1, 13-42-3.

Law Implemented: SDCL 13-1-12.1, 13-42-1, 13-42-1.2, 13-42-3, 13-42-4.