BYLAWS OF THE
SOUTH DAKOTA OPIOID ADVISORY COMMITTEE

Adopted May 12, 2026

Article I – Name of Organization

The name of the organization shall be the South Dakota Opioid Advisory Committee ["Committee"].

Article II – Purpose

The Committee shall be responsible for advising the South Dakota Department of Social Services regarding the allocation, distribution, grant, award or expenditure of monies deposited into the South Dakota Opioid Abatement and Remediation Fund ["Fund"] in accordance with SDCL 34-20B-116. Recommendations of the Committee regarding disbursements from the Fund shall be carried out by the Department of Social Services upon appropriation through the normal budget process.

In accordance with SDCL 34-20B-116 and opioid settlement agreements, the Committee may:

1. Establish criteria regarding eligibility for distribution of monies from the Fund, including but not limited to distribution by grant;
2. Establish criteria regarding the allocation of monies from the Fund that ensures resources align to needs while respecting the resource limitations that exist across regions of the state.
3. Establish criteria regarding allocation of monies from the Fund among political subdivisions;[1]
4. Establish criteria regarding core strategies and approved uses of monies from the Fund;
5. Recommend grant award processes, frequency, recipients, and grant amounts;
6. Establish processes for receiving input regarding opioid use disorder and other co-occurring substance use and mental health disorders and associated abatement needs, strategies, and responses;
7. Establish processes and criteria for evaluation of the use of monies, performance metrics, and the reporting of outcomes;
8. Otherwise provide advice to the Department of Social Services in exercising its settlement administration responsibilities under the South Dakota Opioid Settlement Memorandum of Agreement ["MOA"].

The Committee shall have no ability to alter any direct payment received by any political subdivision from the national administrator as otherwise provided under any opioid settlement agreement.

Article III – Membership

The Committee shall consist of twenty-two (22) members as outlined in the MOA.

Local Members

Local representatives shall be recommended by the mayors of the following cities: Rapid City, Sioux Falls, Pierre, Aberdeen, Brookings, and Yankton.

State Members

State representatives shall be recommended by their respective agency as outlined in the MOA.

Vacancies
Committee members shall be appointed for a three-year term. Members may serve more than one term, if reappointed. Committee members shall continue to serve until their replacement is appointed. If a member resigns or is otherwise removed prior to the expiration of any term, a replacement member shall be appointed within sixty (60) days in the same manner as the selection of the initial member.

Article IV – Meetings

The Full Committee shall meet at minimum twice annually. A majority of members of the Committee present at any called meeting shall constitute a quorum. The continued presence of a quorum is required before any formal action is recommended. Grant review subcommittees shall meet on an as-needed basis to evaluate grant applications for compliance with SDCL 34-20B-116, ensuring proposed activities align with allowable uses of opioid abatement funds, specifically treatment, prevention, and recovery efforts, and are appropriate to meet the needs of South Dakota residents.

Article V – Conflict of Interest

A conflict of interest exists when a committee member's actions or decisions could result in a direct or indirect financial benefit or detriment to the member, their immediate family, employer, professional or business associates, or any for-profit or non-profit entity with which the member has a significant relationship. This includes, but is not limited to:

- Serving as a board member, officer, or employee of an organization applying for Opioid Settlement funding
- Holding a substantial financial interest in an applicant organization
- Having a formal affiliation or advisory role with an applicant organization
- Any other circumstance where the member's impartiality could reasonably be questioned

Committee members must disclose any actual or potential conflict of interest to the Committee Chair as soon as they become aware of it. Members with a conflict must recuse themselves from all discussions, evaluations, scoring, and voting related to the affected application(s). This includes abstaining from participation in any grant review subcommittees where the conflict may arise. Failure to disclose a conflict of interest may result in the removal from the Committee and disqualification of the application in conflict.

Article VI – Roles of Agencies

Department of Social Services (DSS)
The DSS shall have sole accounting responsibilities regarding distributions from the Fund and shall serve as the primary point of contact with the South Dakota State Treasurer, the Bureau of Finance and Management for the State of South Dakota, and any national opioid settlement administrators. DSS shall also appoint all committee members in accordance with the MOA and these Bylaws, produce meeting minutes, maintain records of the Committee, and provide administrative support to the Committee.

Department of Health (DOH)
The DOH shall share joint responsibility for providing the Committee with the most current data, metrics, and outcomes related to opioid abatement efforts and associated topics.

Attorney General's Office (AGO)
The AGO shall assist the Committee and the DSS in ensuring compliance with SDCL 34-20B-116 and terms of any opioid settlement agreements. The AGO shall verify that any recommendations for disbursement made by the Committee comply with SDCL 34-20B-116 and respective settlement agreements before the DSS makes any disbursements from the Fund.

Article VII – Amendments

A two-thirds majority vote of all Committee members shall be required to amend these Bylaws. No bylaws shall be considered for amendment unless notice of the same has been placed on the meeting agenda, and a copy of the proposed changes has been sent to members with the agenda prior to the meeting at which consideration of the amendment will take place.

Brenna Koedam, Committee Chair

5/12/2026
Date