

**20:78:03:03. Incomplete application.** If an applicant fails to submit required materials within 120 days of notice that materials are missing from the application, the executive secretary shall designate the application as withdrawn, or, upon receiving a written request showing good cause, may allow an applicant additional time to complete the application. The executive secretary shall notify the applicant if an application is designated as withdrawn.

The executive secretary's designation of an application as withdrawn may be appealed to the board by written notice filed with the executive secretary within ten days after notice of withdrawal by the executive secretary. If no timely appeal to the board is filed, the executive secretary's designation of an application as withdrawn remains.

**Source:** 38 SDR 127, effective February 7, 2012.

**General Authority:** SDCL 36-4-35, 36-4A-42, 36-4B-35, 36-10-36, 36-10B-7, 36-29-17, 36-31-13, 36-36-12.

**Law Implemented:** SDCL 36-4-11, 36-4-17, 36-4-20.2, 36-4-20.7, 36-4-20.10, 36-4A-8, 36-4A-8.1, 36-4B-6, 36-4B-13, 36-10-27, 36-10-28, 36-10-35.1, 36-10B-6, 36-10B-7, 36-10B-10, 36-29-3, 36-29-3.1, 36-31-5, 36-31-6, 36-31-9, 36-36-5, 36-36-9.