



LEGISLATIVE UPDATE

February 17, 2023

Newsletter #6



By Kody Kyriss,
SDATAT Lobbyist

2023 LEGISLATIVE NOTES

The sixth week of legislative session is complete as legislators and lobbyists alike head into an extra-long weekend. As far as things go for your Association, this week was a quieter one. Like last week, the legislators used the sixth week to get through as many bills as possible prior to Crossover Day which is next week on February 22, 2023.

Bills that may be of interest to your Association continue to make their way through the legislature. **HB 1075** is scheduled for hearing on February 21, 2023 in House Committee on Appropriations. Next, **HB 1095**, which reduces the tax on food to two and one-half percent, was deferred to the 41st legislative day by a vote of 8-1 in House Committee on Appropriations on February 15, 2023. As stated last week, **HB 1096**, which reduces the tax on food to three and one-half percent, was tabled on Thursday by a vote of 10-1. Next, **HB 1137**, An Act to reduce certain gross receipts tax rates and a use tax rate, and to repeal a conditional reduction of certain gross receipts tax rates, is scheduled for hearing on February 21, 2023, in House Committee on Appropriations.

SB 162, which modifies the public meeting requirements, has made its way through the legislature and will soon be awaiting the Governor's signature.

SB 150, a bill that relates to livestock pipelines, passed House Ag and Natural Resources by a vote of 12-0 on February 16, 2023, and will soon be heard on the House floor.

Your Association's legislation has again continued to make quiet progress this week. **SB 73**, which

allows townships who own their self-propelled machinery equipment and vehicles to be exempt from the fuel excise tax, awaits the Governor's signature.

Next, **HB 1147**, An Act to provide for the organization of townships or fractions of townships and **HB 1148**, An Act to clarify registration and residence requirements for voting at a township meeting, are both scheduled for hearing on February 22, 2023, in Senate Local Government. I will be lobbying the committee members next week to ensure the bills make it through committee and onto the floor.

Finally, **SB 145**, is still "parked" in House Taxation and will not be heard until after Crossover Day. I will continue to work with Representative Overweg, the bill's primary House sponsor, as we prepare for this bill to be heard.

Session is over halfway done and all of your bills continue to live throughout the process. Your Association leadership and I will continue to work together to best represent the townships throughout the state in the 2023 legislative session.

Lobbyist Kody Kyriss

SDATAT Submitted Bills

SB 73 exclude road improvement district and township-owned self-propelled machinery, equipment, and vehicles from fuel excise tax

Sponsors: Senators Klumb (prime), Wiik, Zikmund, Representatives Blare (prime), Lems, Olson, and Perry

- 1/25/2023 Senate Taxation Do Pass Amended, Passed, YEAS 7, NAYS 0.
- 1/25/2023 Certified uncontested, placed on consent
- 1/31/2023 Senate Do Pass Amended, Passed, YEAS 33, NAYS 0. S.J. 151
- 02/08/2023 House of Representatives Do Pass, Passed, YEAS 68, NAYS 0. H.J. 261
- 02/15/2023 Delivered to the Governor on Wednesday, February 15, 2023 S.J. 273

SB 145 Revise provisions pertaining to township eligibility for the rural access infrastructure fund.

Sponsor: Senator Schoenfish (prime)

- 02/01/2023 Senate Transportation Do Pass, Passed, YEAS 7, NAYS 0.
- 02/02/2023 Remove from Consent Calendar S.J.179
- 02/06/2023 Senate Do Pass, Passed, YEAS 28, NAYS 7. S.J. 203
- 02/07/2023 First read in House and referred to House Taxation H.J.248

HB 1147 Provide for the organization of townships or fractions of townships.

Sponsor: Representative Chase (prime)

- 02/07/2023 House Local Government Do Pass, Passed, YEAS 13, NAYS 0.
- 02/08/2023 House of Representatives Do Pass, Passed, YEAS 68, NAYS 0. H.J. 261
- 2/22/23 Senate Local Govt 10:00am

HB 1148 Clarify registration and residence requirements for voting at a township meeting

Representative Chase (prime)

- 2/07/2023 House Local Government Do Pass, Passed, YEAS 8, NAYS 5.
- 2/08/2023 House of Representatives Do Pass Amended, Passed, YEAS 57, NAYS 10. H.J. 264
- 2/22/23 Senate Local Govt 10:00am

| Bill | Bills of Interest |
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| HB 1021 | Make an appropriation to the State Conservation Commission and to declare an emergency. 01/11/2023 Referred to Joint Committee on Appropriations H.J.24 |
| HB 1029 | Revise certain provisions regarding the county zoning and appeals process 1/19/2023 Passed House Agriculture and Natural Resources Committee 6 No, & 7 Yea 1/23/2023 House of Representatives Do Pass, Passed, YEAS 40, NAYS 30. 2/21/2023 Scheduled for hearing Senate Agriculture and Natural Resources |
| HB 1043 | Make an exemption from certain property taxation for owner-occupied single-family dwellings. 02/16/2023 House Committee on Appropriations Motion to amend, Passed Amendment 1043A 02/21/2023 Scheduled for hearing House Committee on Appropriations |
| HB 1060 | Modify provisions related to procurement for the state and other purchasing agencies 1/24/2023 House Local Government Do Pass Amended, Passed, YEAS 13, NAYS 0. 1/26/2023 House of Representatives Do Pass, Passed, YEAS 66, NAYS 4. H.J. 161 2/06/2023 Senate Local Government Do Pass, Passed, YEAS 5, NAYS 1. 2/07/2023 Senate Do Pass Amended, Passed, YEAS 31, NAYS 4. S.J. 219 2/16/2023 Delivered to the Governor on Thursday, February 16, 2023 H.J. 312 |
| HB 1075 | To lower the state sales tax rate and the state use tax rate on food to zero percent 01/18/2023 First read in House and referred to House Taxation H.J.52 1/26/2023 Referred to House Committee on Appropriations, Passed, YEAS 12, NAYS 1. 2/21/2023 Scheduled for hearing House Committee on Appropriations |
| HB 1084 | Grant a common carrier the right of eminent domain for public use. 02/03/2023 Withdrawn at the Request of the Prime Sponsor H.J. 226 |
| HB 1090 | Modify protections for agricultural operations from nuisance claims 1/26/2023 House of Representatives Do Pass Amended, Passed, YEAS 61, NAYS 9. H.J. 165 1/24/2023 House Agriculture and Natural Resources Do Pass Amended, Passed, YEAS 12, NAYS 0. 1/26/2023 House of Representatives Do Pass Amended, Passed, YEAS 61, NAYS 9. H.J. 165 2/16/2023 Senate Judiciary Do Pass, Passed, YEAS 4, NAYS 1. |
| HB 1095 | Lower the state sales tax rate and the state use tax rate on food to two and one-half percent 02/15/2023 House Committee on Appropriations Deferred to the 41st legislative day, |
| HB 1096 | Lower the state sales tax rate and the state use tax rate on food to three and one-half percent. 02/09/2023 House Taxation Tabled, Passed, YEAS 10, NAYS 1. |
| HB 1136 | Prohibit the condemnation of private land for certain non-public purposes. 02/03/2023 Withdrawn at the Request of the Prime Sponsor H.J. 226 |
| HB 1137 | Reduce certain gross receipts tax rates and a use tax rate, and to repeal a conditional reduction of certain gross receipts tax rates. 02/21/2023 Scheduled for hearing House Committee on Appropriations |
| 1133 | Provide that a company transporting carbon dioxide by pipeline is not a common carrier. 02/06/2023 House State Affairs Do Pass Amended, Passed, YEAS 8, NAYS 5. 02/16/2023 Senate Commerce and Energy Deferred to the 41st legislative day, Passed, YEAS 9, NAYS 0. |
| 1178 | Establish a timeline and conditions for consideration of an application to construct a carbon dioxide transmission facility. 02/06/2023 House State Affairs Deferred to the 41st legislative day, Passed, YEAS 7, NAYS 5. |

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| SB44 | <p>Repeal provisions regarding the creation of river basin natural resource districts</p> <p>1/26/2023 Senate Agriculture and Natural Resources Do Pass, Passed, YEAS 6, NAYS 0.</p> <p>1/31/2023 Senate Do Pass, Passed, YEAS 30, NAYS 3. S.J. 151</p> <p>2/9/2023 House Agriculture and Natural Resources Do Pass, Passed, YEAS 10, NAYS 3.</p> <p>02/14/2023 House of Representatives Do Pass, Passed, YEAS 36, NAYS 34. H.J. 296</p> |
| SB 150 | <p>Add provisions regarding construction and maintenance of livestock pipelines on highways</p> <p>2/2/2023 Senate Agriculture and Natural Resources Do Pass, Passed, YEAS 6, NAYS 0.</p> <p>2/03/2023 Senate Do Pass, Passed, YEAS 34, NAYS 0. S.J. 192</p> <p>2/16/2023 House Agriculture and Natural Resources Do Pass, Passed, YEAS 12, NAYS 0.</p> |
| SB 155 | <p>To create the jail improvement and construction fund for the improvement and construction of jails, to make an appropriation therefor, and to declare an emergency.</p> <p>02/06/2023 Senate Local Government Referred as Amended to Joint Committee on Appropriations, Passed, YEAS 6, NAYS 0.</p> |
| SB 162 | <p>Revise public meeting requirements</p> <p>02/03/2023 Senate Local Government Do Pass, Passed, YEAS 6, NAYS 0.</p> <p>02/08/2023 Senate Do Pass Amended, Passed, YEAS 35, NAYS 0. S.J. 230</p> <p>02/14/2023 House Local Government Do Pass, Passed, YEAS 13, NAYS 0.</p> <p>02/15/2023 House of Representatives Do Pass, Passed, YEAS 70, NAYS 0. H.J. 307</p> |

IMPORTANT CONTACT INFORMATION

To Track Legislation <http://sdlegislature.gov>

To Email at Legislator: First Name.Last Name@ sdlegislature.gov

To write a Senator or Representative: c/o LRC 500 E Capitol Ave Pierre, SD 57501

Call and Leave a Message:

Senators- Senate Lobby: 605-773-3821

Representatives-House Lobby: 605-773-3851

Contact Governor Kristi Noem

Email: sd.gov/governor and click on Contact

Write: Office of the Governor 500 E Capitol Ave Pierre, SD 57501

Phone: 605-773-3212

Remote Testimony Is Available

If you wish to testify before the committee remotely, please submit your request to the Committee Chair at least 24 hours before the start of the committee meeting at which you would like to speak.

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