



# LEGISLATIVE UPDATE

March 8, 2024

Issue # 9



The ninth and final week of the 99<sup>th</sup> legislative session is complete. While there were ups and down, particularly with SB 201, your Association ultimately had a successful legislative session by passing a couple bills that improve

the Rural Access Infrastructure Fund.

Your Association leadership and I spent most of the week continuing to monitor **SB 201**. If you recall, your Association initially testified in opposition to SB 201 in the Senate committee due to a provision taking away local control from townships and counties. Later, your Association leadership did not testify on SB 201 in the House committee due to an amendment having passed that removed the provision stating townships would be prevented from passing or enforcing an ordinance that regulates, restricts, or prohibits a gas or liquid transmission line or an electric transmission line.

Unfortunately, after the bill passed the House committee and floor, it was again heavily amended to incorporate provisions from a couple other pipeline bills. This amendment also includes language from one of the earlier drafts that restricts townships and local control.

This was a result of the House and Senate each appointing members to a conference committee in which they try to come to a “happy ground” between the chambers. The conference committee process can feel frustrating as they did not allow further testimony from proponents or opponents. Instead, the conference committee and chambers focused on what they thought would pass in both chambers and be sent to the Governor’s desk.

The good news is that your Association had another successful year of improving the Rural Access Infrastructure Fund. **SB 188**, An Act to modify the time before which

rural access infrastructure grant moneys must be expended or obligated, was signed by the Governor on February 28, 2024.

Next, **SB 124**, a bill that would amend the law to include minimum maintenance roads to be eligible for the rural access infrastructure fund, was sent to the Governor’s desk for her signature on March 6th.

While the decision was made to not move forward with **SB 189** this year due to significant concerns by many different groups, your Association leadership and I intend to work with the appropriate individuals and groups this coming Summer and Fall to discuss a viable bill that will work for most of the interested parties.

It has been a pleasure to watch your Association continue to gain momentum with the passage of many bills over the past several years. The official legislative session is done but there is a lot of work needed to be done in the “offseason” for next year’s legislative session which would include the request of additional money for the Rural Access Infrastructure Fund.

As is the case every year, I appreciated the opportunity to represent your Association at the 99th legislative session.

### SDATAT Introduced Bills:

**SB 124** revise the eligibility of roads for the rural access infrastructure fund.

**SB 188** modify the time before which rural access infrastructure grant moneys must be expended or obligated

**SB 189** include impacted townships in the issuance of a conditional use permit. (withdrawn)

**BILLS OF INTEREST:**

- SB 4 Title: revise provisions regarding township contracts for snow removal.**  
2/6/24            Signed by the Governor on Tuesday, February 5, 2024 S.J. 202
- SB 37 Title: revise provisions regarding repair and maintenance of mail routes.**  
2/6/24            Signed by the Governor on Tuesday, February 5, 2024 S.J. 264
- SB 75 Title: modify provisions pertaining to the designation of a legal newspaper.**  
2/13/24          Signed by the Governor on Monday, February 12, 2024
- SB 102 Title: revise the process for annexing or excluding property contiguous to a road district.**  
2/1/24            Senate Local Government Withdrawn at the Request of the Prime Sponsor
- SB 121 Title: revise the process to vacate certain highways.**  
1/29/24          Senate Local Government Deferred to the 41st legislative day, Passed, YEAS 5, NAYS 2.
- SB 124 Title: revise the eligibility of roads for the rural access infrastructure fund.**  
2/8/24            Senate Do Pass, Passed, YEAS 32, NAYS 0. S.J. 286  
3/04/24          House of Representatives Do Pass, Passed, YEAS 69, NAYS 0.  
3/06/24          Delivered to the Governor on Wednesday, March 06, 2024
- SB 188 Title: modify the time before which rural access infrastructure grant moneys must be expended or obligated**  
2/28/24          Action Signed by the Governor on Wednesday, February 28, 2024 S.J. 438
- SB 189 Title: include impacted townships in the issuance of a conditional use permit.**  
2/12/24          Withdrawn at the request of the Prime Sponsor
- SB 195 Title: modify provisions regarding the process to vacate certain highway**  
2/14/24          Senate Local Government Pass Amended YEAS 6, NAYS 0.  
2/20/24          Senate Do Pass Amended, Failed, YEAS 13, NAYS 19
- SB 201 Title: provide new statutory requirements for regulating linear transmission facilities**  
2/15/24          Senate Commerce and Energy Do Pass Amended, Passed, YEAS 7, NAYS 2.  
2/21/24          Senate Do Pass, Failed, YEAS 23, NAYS 11. S.J. 378  
2/21/24          Senate Motion to amend, Passed S.J. 378 Amendment 2011  
2/21/24          Senate Do Pass Amended, Passed, YEAS 23, NAYS 11. S.J. 379  
2/28/24          House of Representatives Do Pass Amended, Passed, YEAS 40, NAYS 30.  
2/29/24          Senate Failed to concur, appoint Conference Committee, Passed, YEAS 24, NAYS 10.  
3/04/24          Senate Conference Committee appointments S.J. 464  
3/04/24          House of Representatives Conference Committee appointments H.J. 452  
3/06/24          Conference Committee 201 A Motion to amend, Passed Amendment 201M  
3/06/24          Conference Committee 201 A Conference Committee Report adopted, Passed, YEAS 5, NAYS 1.  
3/06/24          House of Representatives Conference Committee Report adopted, Passed, YEAS 39, NAYS 31.  
3/06/24          Senate Conference Committee Report adopted, Passed, YEAS 24, NAYS 10. S.J. 505  
3/07/24          Delivered to the Governor on Thursday, March 07, 2024
- HB 1055 Title: raise the appraisal value of surplus property that may be sold by a political subdivision without notice.**  
2/6/24            Signed by the Governor on Monday, February 05, 2024
- HB 1079 Title: require property owner permission or a siting permit prior to entry for an examination and survey.**  
1/19/24          House Commerce & Energy . Deferred to the 41st legislative day, Passed
- HB 1109 Title: eliminate the cap on assessment amounts for road improvements and to allow townships to plan and pay for the paving and maintenance of non-section line roads.**  
1/23/24          House Taxation Deferred to the 41st legislative day, Passed, YEAS 12, NAYS 1.
- HB1185 Title: amend provisions regarding entry on private property for examination and survey of a project requiring a siting permit**  
3/06/24          House of Representatives Conference Committee Report adopted, Passed, YEAS 42, NAYS 28.  
03/06/2024      Senate Conference Committee Report adopted, Passed, YEAS 29, NAYS 5. S.J. 50  
03/07/2024      Signed by the Governor on Thursday, March 07

# 99<sup>th</sup> SOUTH DAKOTA LEGISLATIVE SESSION CALENDAR

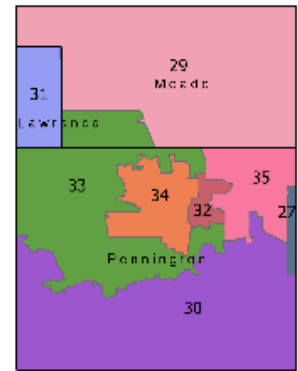
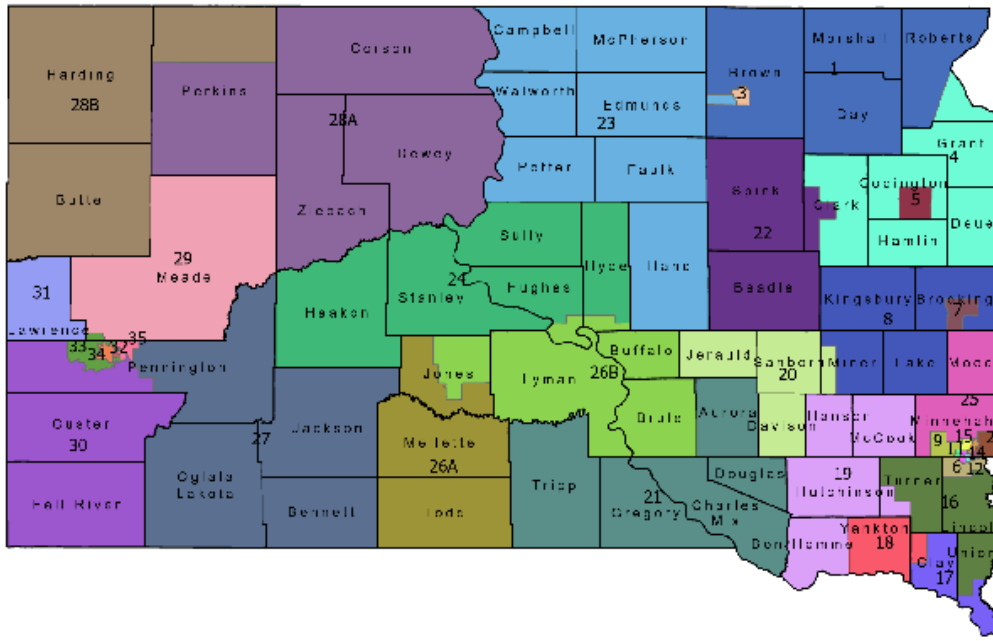
2024 ♦ 38 Legislative Days



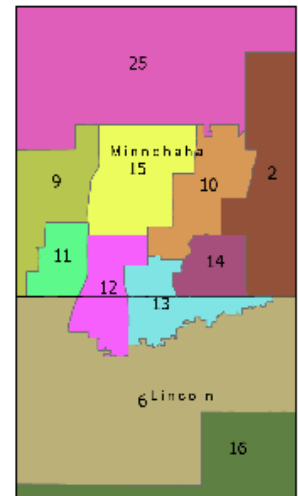
Please refer to the Joint Rules, Chapter 17 for complete information.

	Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat	
January 2024		1	2	3	4	5	6	
	7	8	9 Session Opens 12 Noon(CST) (Constitution, Art. III, Sec. 7)  <i>State of the State</i>  LD 1	10 <i>State of the Judiciary</i> 11:00am  <i>State of the Tribes</i> 1:00pm  LD 2	11	12	13	LD 3   LD 4
	14	15 <i>Martin Luther King Jr. Day</i>	16 Executive orders filed (Constitution, Art. IV, Sec. 8)  LD 5	17	18 <i>Jt. Memorial Service</i> 3:00pm  LD 7	19	20	LD 6   LD 8
	21	22	23 Bill and resolution draft requests due to LRC by 5:00pm (for unlimited introduction)  LD 9	24	25 Last day for unlimited bill and resolution introduction (JR 6B-3) (TWO HOURS prior to session)  LD 12	26	27	LD 10   LD 11   LD 17
	28	29 All bill and resolution draft requests due to LRC by 5:00pm  LD 13	30 Committee bill and resolution draft requests due to LRC by 5:00pm  LD 14	31 Last day for introduction of individual bills and resolutions (TWO HOURS prior to session)  LD 15	1 Last day for introduction of committee bills and resolutions (TWO HOURS prior to session)  LD 16	2	3	LD 17   LD 17
February 2024	4	5	6	7	8	9	10	
	11	12	13	14	15 Last day for JCA selection of general fund revenue targets (JR 7-11.1)  LD 25	16	17	LD 18   LD 19   LD 20   LD 21
	18	19 <i>Presidents' Day</i>	20 Last day to use JR 5-17, AND Last day to move required delivery of bills or resolutions by a committee to the house of origin  LD 26	21 Last day to invoke JR 7-7 in the house of origin, AND Last day to pass bills or joint resolutions by the house of origin (Crossover Day)  LD 27	22	23 Last day for JCA to move required delivery of special appropriation bills to house of origin (JR 17-1)  LD 29	24	LD 22   LD 23   LD 24   LD 25   LD 26   LD 27   LD 28   LD 29
	25	26 Commemoration requests due to LRC by 5:00pm, AND Last day for house of origin to pass special appropriation bills referred from JCA (JR 17-1)  LD 30	27	28 JR 5-13 in effect, AND Last day for introduction of commemorations (TWO HOURS prior to session)  LD 32	29 Last day to move required delivery of bills or joint resolutions by a committee to the second house  LD 33	1	2	LD 30   LD 31   LD 32   LD 33
March 2024	3	4 Last day for a bill or joint resolution to pass both houses, and Last day to invoke JR 7-7 in the second house  LD 34	5	6	7	8	9	
	10	11	12	13	14	15	16	
	17	18	19	20	21	22	23	
	24	25 Reserved for consideration of gubernatorial vetoes  LD 38	26	27	28	29	30	LD 34   LD 35   LD 36   LD 37

# 2023 South Dakota Legislative Districts



Rapid City



Sioux Falls



## TOWNSHIP CALENDAR

- January 9th- Legislative Session Opens
- February 7th - SDATAT Ice Cream Social at the Capital
- Feb 27th- Required Township meeting
- March 5th - Required Township Annual Meeting (SDCL 8-3-1)
- April 1st- SDATAT Scholarship Applications Due
- April 1st - SDATAT Bond Applications Due
- July 15 - Opt Outs Due

## **IMPORTANT CONTACT INFORMATION**

To Track Legislation <http://legis.sd.gov/>

To Listen To Committees Live:

[http://legis.sd.gov/Legislative\\_Session/Committees/default.aspx](http://legis.sd.gov/Legislative_Session/Committees/default.aspx)

**Address:** Legislative Research Council  
 Capitol Building, 3rd Floor - 500 East Capitol Avenue  
 Pierre, SD 57501-5070

**Email general inquiries:** [LRC@sdlegislature.gov](mailto:LRC@sdlegislature.gov)

**Phone:**(605) 773-3251     **Staff Fax:** (605) 773-4576

**Fax a Message (to a specific legislator)** (605) 773-6806