



LEGISLATIVE UPDATE

February 16, 2024

Issue # 6



The sixth week of the 99th legislative session is done. As a reminder, Crossover Day is next Wednesday, February 21, 2024. Crossover Day is a deadline in which bills from their originating chamber (House or Senate) need to

pass or die. Both the House and Senate have been doing their best to prevent Crossover Day from being overly long.

Your Association continues to follow bills of interest. Your Association has been monitoring legislation by Senator Hermon Otten who introduced **SB 195**, a revised modified version of SB 121. Like SB 121, this bill would require the Commissioner of School and Public Lands to review every petition for vacation of a road to ensure it does not block access to public lands and waters. SB 195 was amended with **SB 195B**, which amended the bill to require the commissioner to review all petitions to vacate within seven days. Additionally, the amendment included language to state that any decision by the Commissioner may be appealed to the circuit court. SB 195 was heard on February 14, 2024, and passed Senate Local Government by a 6-0 vote.

Next, your Association leadership opposes **SB 201**. SB 201 prevents townships from enacting a fee or charge that is relating to liquid transmission as well as preventing townships from passing or enforcing an ordinance that regulates, restricts, or prohibits a gas or liquid transmission line or an electric transmission line which requires or holds a permit under chapter 49-41B.

On behalf of your Association, I testified in opposition to this bill to express concerns, particularly the fact that SB 201 removes local control from both counties and townships. SB 201 had a significant amount of testimony from both proponents and opponents. Unfortunately, despite strong testimony from the opponents, it passed to the Senate floor by a vote of 7-2.

Your Association's bills had a quieter week. First, **SB 188**, An Act to modify the time before which rural access infrastructure grant moneys must be expended or obligated, was scheduled for hearing in House Transportation for February 20, 2024.

Next, **SB 124**, a bill that would amend law to include minimum maintenance roads to be eligible for the rural access infrastructure fund, was scheduled for hearing in House Transportation for February 20, 2024. Your Association leadership and I will be working diligently to ensure the passage of these bills which will benefit townships across the state of South Dakota.

Your Association will be very busy in the coming weeks at the legislature. While the lobbying efforts for SB 188 and SB 124 will be a focus for your Association leadership, your Association will also be busy with expressing its concerns regarding **SB 195** and **SB 201**. As it relates to SB 201, it's important to emphasize that townships do not want to prohibit or slow down economic growth; however, it's also crucial that local governments can regulate in a manner they feel are appropriate.

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.
2/7/24 Senate Transportation Passed, YEAS 7, NAYS 0.

2/8/24 Senate Do Pass, Passed, YEAS 32, NAYS 0. S.J. 286

2/20/24 Scheduled for hearing House Transportation

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

2/07/24 Senate Transportation Do Pass, Passed, YEAS 7, NAYS 0.

2/08/24 Senate Motion to amend, Passed S.J. 287 Amendment 188B

2/08/24 Senate Do Pass Amended, Passed, YEAS 32, NAYS 0. S.J. 287

2/20/24 Scheduled for hearing House Transportation

***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

2/24/24 Senate Local Government Pass Amended YEAS 6, NAYS 0.

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.

SB 207 Title: increase oversight of pool arrangements. *(Bond Alliance)*

2/13/24 Senate Commerce and Energy Deferred to the 41st legislative day, Passed, YEAS 6, NAYS 3.

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

2/05/24 Passed, amended House Commerce & Energy, YEAS 10, NAYS 1.

2/08/24 House of Representatives Do Pass Amended, Passed, YEAS 47, NAYS 17. H.J. 29

2/12/24 First read in Senate and referred to Senate Commerce and Energy S.J. 297

99th SOUTH DAKOTA LEGISLATIVE SESSION CALENDAR

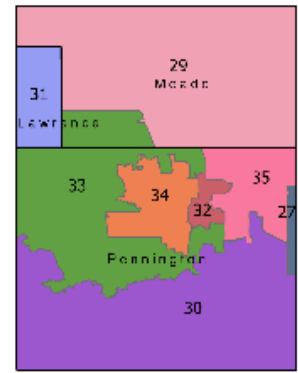
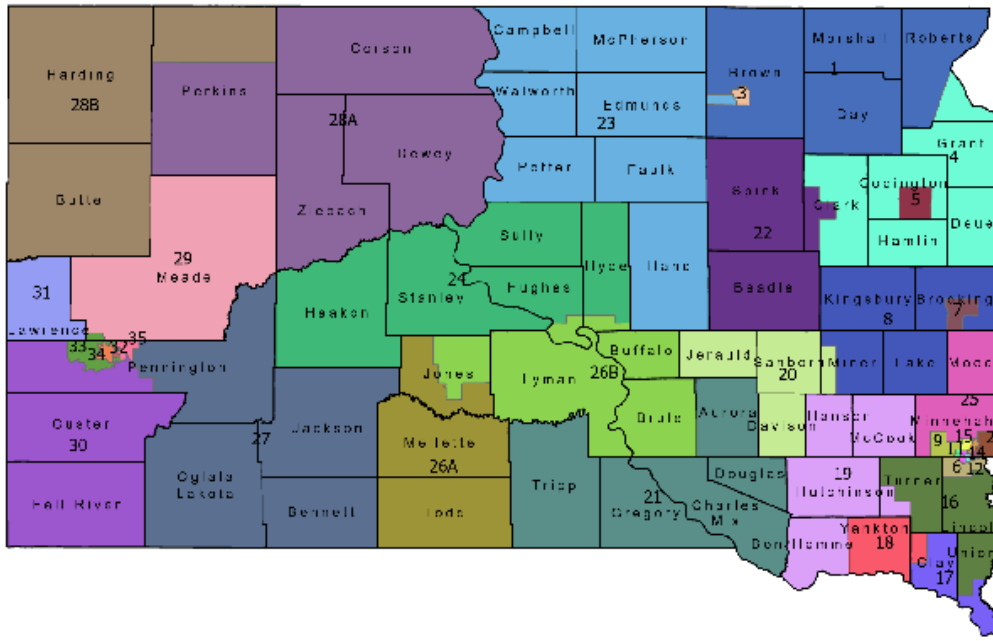
2024 ♦ 38 Legislative Days



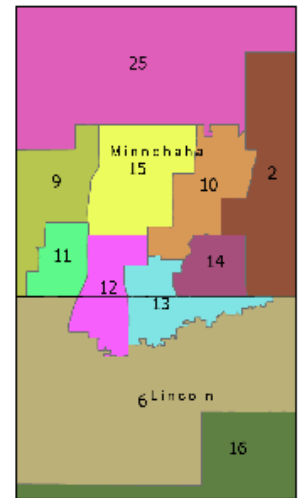
Please refer to the Joint Rules, Chapter 17 for complete information.

| | 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 LD 18 | 6 LD 19 | 7 LD 20 | 8 LD 21 | 9 | 10 | LD 18 LD 19 LD 20 LD 21 |
| | 11 | 12 LD 22 | 13 LD 23 | 14 LD 24 | 15 Last day for JCA selection of general fund revenue targets (JR 7-11.1) LD 25 | 16 | 17 | LD 22 LD 23 LD 24 LD 25 |
| | 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 LD 28 | 24 Last day for JCA to move required delivery of special appropriation bills to house of origin (JR 17-1) LD 29 | 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 LD 31 | 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 LD 35 | 6 LD 36 | 7 LD 37 | 8 | 9 | LD 34 LD 35 LD 36 LD 37 |
| | 10 | 11 | 12 | 13 | 14 | 15 | 16 | LD 34 LD 35 LD 36 LD 37 |
| | 17 | 18 | 19 | 20 | 21 | 22 | 23 | LD 34 LD 35 LD 36 LD 37 |
| | 24 | 25 Reserved for consideration of gubernatorial vetoes LD 38 | 26 | 27 | 28 | 29 | 30 | LD 38 LD 38 LD 38 |

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 15 - 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

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