



LEGISLATIVE UPDATE

March 10, 2023

Newsletter #9



By Kody Kyriss,
SDATAT Lobbyist

2023 LEGISLATIVE NOTES

The ninth and final week of legislative session is complete as of Thursday, March 9. While the session was, at times, long and difficult, your Association had a significant amount of success that it can reflect on as it moves forward.

Most of your Association's bills are either signed into law or very close to that point. As a reminder, **SB 73**, which allows townships who own their self-propelled machinery equipment and vehicles to be exempt from the fuel excise tax, was signed by the Governor on February 22, 2023.

HB 1147, which provides for the organization of townships or fractions of townships, was signed by the Governor on March 7, 2023. **HB 1148**, An Act to registration and residence requirements for voting at a township meeting, was delivered to the Governor's desk for her signature on March 7, 2023. It can be expected that she will sign it soon.

Finally, **SB 145**, which improves the Rural Access Infrastructure Fund, was delivered to the Governor on March 7, 2023, where it is once again expected she will sign into law soon. As a reminder, a bill signed by the Governor this year **does not become effective until July 1, 2023**.

A constant topic of legislature was the reduction of sales tax. After a long and arduous back and forth between the Governor's office and the House and Senate, they settled on **HB 1137** that lowers overall sales tax from 4.5% to 4.2% until 2027. This tax cut will return approximately \$104 million back to

South Dakotans. While there were other options to reduce sales tax, the legislature wanted to approach the issue carefully and methodically as to not significantly impact the state budget too much but also returning money back to South Dakotans.

Again I want to take the opportunity to thank you for allowing me to serve as your primary lobbyist for the 2023 legislative session. Your Association had significant success and continues to build and foster relationships with other groups and legislators along the way.

While your leadership will soon be looking at next year's goals, it's still important to take a step back and value the work your Association has been able to accomplish in the last few years of legislature. As the year continues, I will be in touch with your Association leadership about current and future issues for townships across the state. I wish you all the very best.

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.
02/06/2023 Senate Do Pass, Passed, YEAS 28, NAYS 7. S.J. 203
02/28/2023 House Taxation Do Pass, Passed YEAS 10, NAYS 1
03/01/2023 House of Representatives Do Pass, Passed, YEAS 68, NAYS 0. H.J. 441

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
02/22/2023 Senate Local Government Do Pass, Passed, YEAS 6, NAYS 0.
02/23/2023 Senate Do Pass, Passed, YEAS 35, NAYS 0. S.J. 329
03/01/2023 Delivered to the Governor on Tuesday, February 28, 2023 H.J. 420

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
02/22/2023 Senate Local Government Do Pass, Passed, YEAS 7, NAYS 0
02/27/2023 Senate Do Pass Amended, Passed, YEAS 33, NAYS 1. S.J. 360

Bill	Bills of Interest	
HB 1021	Make an appropriation to the State Conservation Commission and to declare an emergency. 02/22/2023 Joint Committee on Appropriations Do Pass, Passed, YEAS 18, NAYS 0. 02/27/2023 House of Representatives Do Pass, Passed, YEAS 64, NAYS 5. H.J. 387 03/01/2023 Senate Do Pass, Passed, YEAS 31, NAYS 2. S.J. 391	
HB 1029	Revise certain provisions regarding the county zoning and appeals process 1/23/2023 House of Representatives Do Pass, Passed, YEAS 40, NAYS 30. 2/23/2023 Senate Do Pass, Passed, YEAS 18, NAYS 17. S.J. 331 3/01/2023 Delivered to the Governor on Tuesday, February 28, 2023 H.J. 420	
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 House Committee on Appropriations Deferred to 41st legislative day , Passed, YEAS 9, NAYS 0.	
HB 1060	Modify provisions related to procurement for the state and other purchasing agencies 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 02/21/2023 House Committee on Appropriations Deferred to the 41st legislative day , Passed, YEAS 8, NAYS 1.	
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 02/24/2023 Senate Do Pass Amended, Passed, YEAS 25, NAYS 8. S.J. 339 02/28/2023 House of Representatives Concurred in amendments, Passed, YEAS 63, NAYS 7. H.J. 399	
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 , Passed, YEAS 8, NAYS 1.	
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 House Committee on Appropriations Do Pass Amended, Passed, YEAS 8, NAYS 1. 02/22/2023 House of Representatives Do Pass Amended, Passed, YEAS 66, NAYS 3. H.J. 351 03/01/2023 Senate Committee on Appropriations Do Pass Amended, Passed, YEAS 7, NAYS	
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.	

SB44	<p>Repeal provisions regarding the creation of river basin natural resource districts</p> <p>1/31/2023 Senate Do Pass, Passed, YEAS 30, NAYS 3. S.J. 151 2/14/2023 House of Representatives Do Pass, Passed, YEAS 36, NAYS 34. H.J. 296 2/28/2023 Signed by the Governor on Tuesday, February 28, 2023 S.J. 364</p>
SB 150	<p>Add provisions regarding construction and maintenance of livestock pipelines on highways</p> <p>2/03/2023 Senate Do Pass, Passed, YEAS 34, NAYS 0. S.J. 192 2/21/2023 House of Representatives Do Pass, Passed, YEAS 66, NAYS 4. H.J. 341 3/02/2023 Signed by the Governor on Thursday, March 02, 2023 S.J. 402</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>02/24/2023 Joint Committee on Appropriations Do Pass, Passed, YEAS 11, NAYS 7. 02/27/2023 Senate Do Pass Amended, Passed, YEAS 28, NAYS 6. S.J. 352 03/01/2023 House of Representatives Do Pass Amended, Failed, YEAS 14, NAYS 54. H.J. 439</p>
SB 162	<p>Revise public meeting requirements</p> <p>2/03/2023 Senate Local Government Do Pass, Passed, YEAS 6, NAYS 0. 2/08/2023 Senate Do Pass Amended, Passed, YEAS 35, NAYS 0. S.J. 230 2/14/2023 House Local Government Do Pass, Passed, YEAS 13, NAYS 0. 2/15/2023 House of Representatives Do Pass, Passed, YEAS 70, NAYS 0. H.J. 307 2/21/2023 Delivered to the Governor on Tuesday, February 21, 2023 S.J. 300</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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