



LEGISLATIVE UPDATE

January 27, 2023

Newsletter #3



By Kody Kyriss,
SDATAT Lobbyist

2023 LEGISLATIVE NOTES

The third week of the legislative session is now complete. While the first couple weeks of session were slower, it has officially picked up as there are now a total of 178 House bills and 168 Senate bills. January 26 was the final day for unlimited bill submission. The next significant deadline is February 1 which is the last day each legislator may submit up to three final bills each.

There continues to be bills that may be of interest to your Association and its leadership. **HB 1126** increases the fee for a utility to cross a railroad right-of-way from \$750 to \$1400. This bill was referred to House Transportation and is scheduled for hearing on January 31, 2023. Next is **SB 99** which appears to be another attempt to assist counties by allowing counties to issue bonds for certain expenditures such as building jails, courthouses, and treatment centers. SB 99 was referred to Senate Taxation and is scheduled for hearing on February 1, 2023. As stated last week, several bills have been introduced with a goal of reducing the sales tax on food. **HB 1075**, which would completely eliminate the sales tax on food, passed from House Taxation to House Committee on Appropriations by a vote of 12-1. Another interesting bill for your Association is **SB 162** which modifies the public meeting requirements. Finally, **HB 1095** and **HB 1096**, which only partially eliminate the sales tax on food, have yet to be scheduled for a hearing in House Taxation.

Your Association continues to work to have several bills passed through the legislature. **SB 73**, which

allows townships who own their self-propelled machinery equipment and vehicles to be exempt from the fuel excise tax, passed out of Senate Taxation by a vote of 7-0 and was placed on consent calendar. This includes an amendment which added road improvement districts to the exemption list as well.

The next SDATAT bills include **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. Both bills being sponsored by Representative Roger Chase, have been officially introduced into the legislature and referred to House Local Government.

Finally, **SB 145** is your Association's bill relating to rural access infrastructure eligibility. After several discussions with your Association's leadership and a few legislators, Senator Kyle Schoenfish agreed to sponsor this bill and push it forward. **SB 145** has been referred to Senate Transportation and can be expected to be heard soon.

Although the first two weeks were slower, the legislature has become much busier. As the many new legislators learn the ins and outs of the legislature, your Association leadership and I will continue to push forward your Association's legislation as well as monitor any other bills of interest.

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

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

Sponsor: Senator Schoenfish (prime)

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

Sponsor: Representative Chase (prime)

1/26/2023 First read in House and referred to House Local Government H.J.159

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

Representative Chase (prime)

1/26/2023 First read in House and referred to House Local Government H.J.159

Bill	Bills of Interest	
HB 1021	<p>Make an appropriation to the State Conservation Commission and to declare an emergency.</p> <p>01/11/2023 Referred to Joint Committee on Appropriations H.J.24</p>	
HB 1029	<p>Revise certain provisions regarding the county zoning and appeals process</p> <p>01/11/2023 Referred to House Agriculture and Natural Resources H.J.24</p> <p>01/19/2023 Passed Committee 6 No, & 7 Yea</p> <p>1/23/2023 House of Representatives Do Pass, Passed, YEAS 40, NAYS 30.</p>	
HB 1043	<p>Make an exemption from certain property taxation for owner-occupied single-family dwellings.</p> <p>01/12/2023 Referred to House Committee on Appropriations, Passed H.J. 28</p> <p>1/25/2023 Referred to House Taxation, Passed H.J. 101</p>	
HB 1060	<p>Modify provisions related to procurement for the state and other purchasing agencies</p> <p>01/13/2023 First read in House and referred to House Local Government H.J.3</p> <p>1/24/2023 House Local Government Do Pass Amended, Passed, YEAS 13, NAYS 0.</p> <p>1/24/2023 Certified uncontested, placed on consent</p>	
HB 1075	<p>To lower the state sales tax rate and the state use tax rate on food to zero percent</p> <p>01/18/2023 First read in House and referred to House Taxation H.J.52</p> <p>1/26/2023 Referred to House Committee on Appropriations, Passed, YEAS 12, NAYS 1.</p>	
HB 1084	<p>Grant a common carrier the right of eminent domain for public use.</p> <p>01/18/2023 First read in House and referred to House State Affairs H.J.53</p>	
HB 1090	<p>Modify protections for agricultural operations from nuisance claims</p> <p>1/26/2023 House of Representatives Do Pass Amended, Passed, YEAS 61, NAYS 9. H.J. 165</p> <p>1/24/2023 House Agriculture and Natural Resources Do Pass Amended, Passed, YEAS 12, NAYS 0.</p> <p>1/26/2023 House of Representatives Do Pass Amended, Passed, YEAS 61, NAYS 9. H.J. 165</p>	
1136	<p>Prohibit the condemnation of private land for certain non-public purposes.</p> <p>01/25/2023 First read in House and referred to House State Affairs H.J.103</p>	
1133	<p>Provide that a company transporting carbon dioxide by pipeline is not a common carrier.</p>	
1178	<p>Establish a timeline and conditions for consideration of an application to construct a carbon dioxide transmission facility.</p>	

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. 1/26/2023 Certified uncontested, placed on consent</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>
SB 162	<p>Revise public meeting requirements</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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