



LEGISLATIVE UPDATE

February 24, 2023

Newsletter #7



By Kody Kyriss,
SDATAT Lobbyist

2023 LEGISLATIVE NOTES

The seventh week of legislative session is complete. Amongst Crossover week, your Association saw a little more action than it had last week. Bills that may be of interest to your Association continue to make their way through the legislature.

HB 1075 was sent to the 41st legislative day by a vote of 8-1 on February 21, 2023 in House Committee on Appropriations.. 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, passed House Committee on Appropriations 8-1 with Amendment 1137A 8-1. Amendment 1137A amends the bill to four and two-tenths percent. HB 1137 as amended passed the House floor by a vote of 66-3. The bill has been referred to Senate Taxation on February 23, 2023.

SB 150, a bill that relates to livestock pipelines, passed the House floor on February 21, 2023 by a vote of 66-4. It will now be heading the Governor's desk for her signature.

Your Association's bills had a bit more action this week. **SB 73**, which allows townships who own their self-propelled machinery equipment and vehicles to be exempt from the fuel excise tax, still awaits the Governor's signature which should be soon.

Next, **HB 1147**, An Act to provide for the organization of townships or fractions of townships, passed Senate Local Government by a vote of 6-0 and was

placed on consent calendar on February 22, 2023. It then passed the Senate floor by a vote of 35-0 on February 23, 2023 and will heading to the Governor's desk for her signature.

HB 1148, An Act to registration and residence requirements for voting at a township meeting, passed Senate Local Government by a vote of 7-0 and was placed on consent calendar on February 22, 2023. Unfortunately, it was removed from the consent calendar on February 23, 2023, and will be debated on the Senate floor after 1:30 pm today.

Finally, SB 145, is scheduled to be heard on Tuesday, February 28, 2023 in House Taxation. I will be continuing to work with your Association leadership and the House prime sponsor – Representative Marty Overweg – to ensure the bill's passage.

The end of session is approaching. Your Association leadership and I will continue to work together diligently to best represent your Association during 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
- 02/28/2023 Scheduled for hearing 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
- 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

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

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.
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 Senate Agriculture and Natural Resources Do Pass, Passed, YEAS 4, NAYS 3. 2/23/2023 Senate Do Pass, Passed, YEAS 18, NAYS 17. S.J. 331
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 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. 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 1/24/2023 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 , 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
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>1/26/2023 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>2/14/2023 House of Representatives Do Pass, Passed, YEAS 36, NAYS 34. H.J. 296</p> <p>2/21/2023 Delivered to the Governor on Tuesday, February 21, 2023 S.J. 300</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> <p>2/21/2023 House of Representatives Do Pass, Passed, YEAS 66, NAYS 4. H.J. 341</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>2/03/2023 Senate Local Government Do Pass, Passed, YEAS 6, NAYS 0.</p> <p>2/08/2023 Senate Do Pass Amended, Passed, YEAS 35, NAYS 0. S.J. 230</p> <p>2/14/2023 House Local Government Do Pass, Passed, YEAS 13, NAYS 0.</p> <p>2/15/2023 House of Representatives Do Pass, Passed, YEAS 70, NAYS 0. H.J. 307</p> <p>2/21/2023 Delivered to the Governor on Tuesday, February 21, 2023 S.J. 300</p>

IMPORTANT CONTACT INFORMATION

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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

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