



LEGISLATIVE UPDATE

February 9, 2024

Issue # 5



The fifth week of the 99th legislative session is now complete. The total number of bills for this legislative session are 258 House bills and 220 Senate bills. Crossover Day is February 21, 2024, which is a deadline in which bills from their originating chamber (House or Senate) need to pass or die.

Your Association continues to follow bills of interest. SB 4 and SB 37, both of which I have discussed in the past newsletters, have been signed by the Governor on February 6, 2024, into law. Next, your Association is again monitoring legislation by Senator Hermon Otten. Previously, your Association testified against **SB 121** which would give the Commissioner of Schools and Public Lands the authority to approve or reject the vacation of roads in the event they lead to public waters or lands. Due to the opponent testimony, SB 121 died. However, Senator Otten has since introduced a similar bill – **SB 195** and its amendment – in which your Association leadership has concerns.

Additionally, your Association leadership continues to have concerns regarding **SB 201**. SB 201 would prevent 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 49-41BA.

This was a big week at the Capitol for your Association. First, your Association was prepared to testify on two of its bills that were scheduled in Senate Transportation. **SB 188, An Act to modify the time before which rural access infrastructure grant moneys must be expended or obligated**, passed unanimously in Senate Transportation and the Senate floor. After proponent testimony from the Counties and no opponent testimony, SB 188 will now head to the House.

Next, **SB 124, a bill that would amend law to include minimum maintenance roads to be eligible for the rural access infrastructure fund**, also passed unanimously in Senate Transportation and the Senate floor.

The bill is now heading to the House.

Unfortunately, it was decided that **SB 189, which would require townships to be involved in the onset of the county permit process**, was unable to continue successfully during this legislative session. Your Association leadership and I worked diligently to communicate with legislators and other interested parties, but it was decided that this bill would have a better likelihood of success next year after using this year to communicate with interested parties that have expressed some concerns about the legislation.

This week was also an exciting time for your Association as your leadership made its presence known in the Capitol. On Wednesday February 7, your Association hosted its annual ice cream social event in the House and Senate lobbies. Many legislators showed up to enjoy the always delicious SDSU ice cream and toppings. Later that evening, your Association hosted its annual social and dinner at Cattlemen’s Steakhouse outside of Pierre. Several legislators took time to attend the event which allowed everyone to socialize in a fun, more relaxing environment.

The coming weeks will be very busy for your Association. Your Association’s bills, SB 188 and SB 124, will begin the next process in the House committee and floor. Additionally, your Association will be playing “defense” against bills such as **SB 195 and SB 201**. As always, your Association leadership and I will continue to work diligently to best represent and advocate for the townships of South Dakota.

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.
02/06/2024 Delivered to the Governor on Tuesday, February 06, 2024 S.J. 266

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

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

02/07/24 Senate Transportation Do Pass, Passed, YEAS 7, NAYS 0.

02/08/24 Senate Motion to amend, Passed S.J. 287 Amendment 188B

02/08/24 Senate Do Pass Amended, Passed, YEAS 32, NAYS 0. S.J. 287

***SB 189 Title: include impacted townships in the issuance of a conditional use permit. ***

1/29/24 Referred to Senate Local Government

SB 195 Title: modify provisions regarding the process to vacate certain highway

01/31/24 Referred to Senate Local Government

SB 201 Title: provide new statutory requirements for regulating linear transmission facilities

01/31/24 Referred to Senate Commerce and Energy

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

02/13/24 Scheduled for hearing Senate Commerce and Energy

HB 1055 Title: raise the appraisal value of surplus property that may be sold by a political subdivision without notice.

1/16/24 House of Reps Passed, YEAS 58, NAYS 11.

1/29/24 Senate Passed, YEAS 30, NAYS 1.

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

02/05/24 Passed, amended House Commerce & Energy, YEAS 10, NAYS 1.

02/08/24 House of Representatives Do Pass Amended, Passed, YEAS 47, NAYS 17. H.J. 29

99th SOUTH DAKOTA LEGISLATIVE SESSION CALENDAR

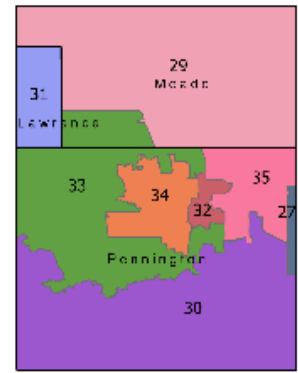
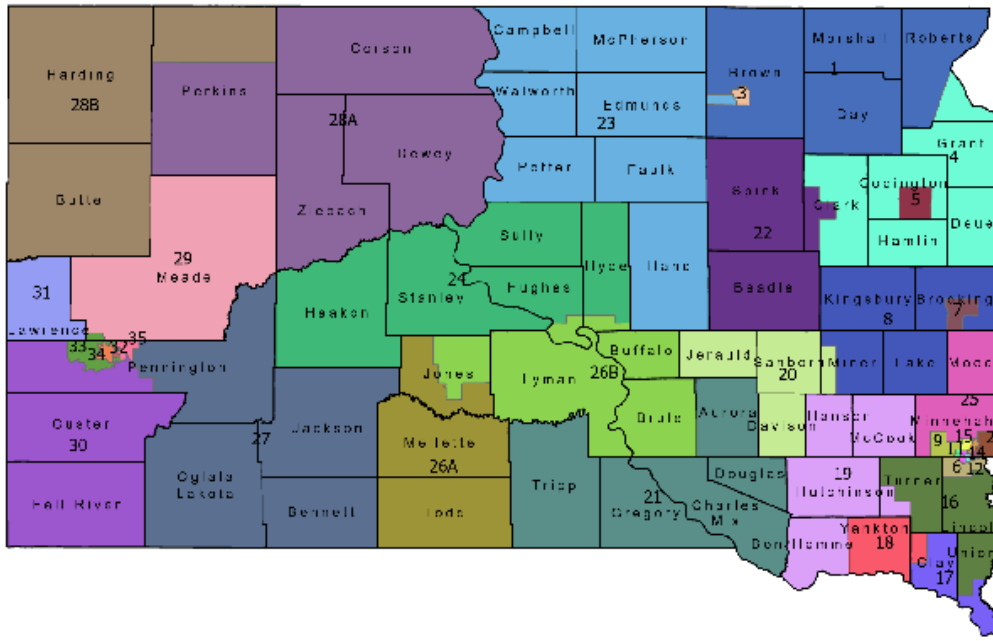
2024 ♦ 38 Legislative Days



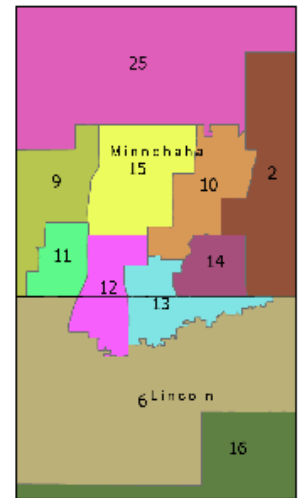
Please refer to the Joint Rules, Chapter 17 for complete information.

	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
	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 8
	21	22	23 Bill and resolution draft requests due to LRC by 5:00pm (for unlimited introduction) LD 10	24	25 Last day for unlimited bill and resolution introduction (JR 6B-3) (TWO HOURS prior to session) LD 12	26	27	LD 11
	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
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 20
	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 21
	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 22
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	LD 18
	10	11	12	13	14	15	16	LD 19
	17	18	19	20	21	22	23	LD 23
	24	25 Reserved for consideration of gubernatorial vetoes LD 38	26	27	28	29	30	LD 24

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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