



2023 South Dakota Legislature

House Bill 1082

Introduced by: **Representative** Randolph

1 **An Act to to establish a standing committee on federal review, and to declare an**
 2 **emergency.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That chapter 2-6 be amended with a NEW SECTION:**

5 There is hereby created a joint federal review committee to:

6 (1) Review all federal action to determine if the sovereignty of the state of South
 7 Dakota and the powers, rights, and liberties of its citizens, as legally defined during
 8 the ratification debates of the several states in ratifying the United States
 9 Constitution, are being infringed upon or diminished;

10 (2) Determine and make findings as to which federal actions are not consistent with
 11 the roles, responsibilities, powers, and properties of the federal government
 12 enumerated in the United States Constitution. This duty shall be exercised without
 13 regard for any decision by a federal court or by the Supreme Court of the United
 14 States that attempts to interpret federal action; and

15 (3) Sponsor legislation, report to the Legislature, and advise the legislature consistent
 16 with any determinations and findings concerning the constitutionality of federal
 17 actions.

18 For the purposes of this section, the term, federal action, means all new and
 19 existing federal laws, resolutions, rules, regulations, decrees, orders, mandates, executive
 20 orders, or any other federal dictate having the full force and effect of law.

21 **Section 2. That chapter 2-6 be amended with a NEW SECTION:**

22 The joint federal review committee consists of five members of the House of
 23 Representatives to be appointed by the speaker of the House of Representatives and four
 24 members of the Senate to be appointed by the president pro tempore of the Senate. The
 25 members of the joint federal review committee shall be appointed biennially for terms

1 expiring on January first of each succeeding odd-numbered year and shall serve until their
2 respective successors are appointed and qualified.

3 **Section 3. That chapter 2-6 be amended with a NEW SECTION:**

4 The joint federal review committee shall be co-chaired by one member of the House
5 of Representatives, chosen by the speaker of the house, and one member of the Senate,
6 chosen by the president pro tempore of the Senate, and shall be provided with staff
7 assistance from the Legislative Research Council.

8 **Section 4.** Whereas, this Act is necessary for the support of the state government and its
9 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
10 full force and effect from and after its passage and approval.