

Committee: House Taxation

Tuesday, January 23, 2024 7:45 AM

Roll Call

Present: Rep. Aylward, Rep. DeGroot, Rep. Duffy, Rep. Jensen (Phil), Rep. Massie, Rep. May, Rep. Perry, Rep. Peterson (Sue), Rep. Pinnow, Rep. Pourier, Rep. Randolph, Rep. Jamison, and Rep. Chaffee

OTHERS PRESENT: See Original Minutes

**The meeting was called to order by Representative Jamison**

**MOTION: TO APPROVE THE MINUTES OF THURSDAY, JANUARY 11<sup>TH</sup>**

Moved by: Chaffee  
Second by: Perry  
Action: Prevailed by voice vote

**HB 1090 : revise provisions related to tax deeds and to declare an emergency.**

Presented by: Representative Kirk Chaffee  
Proponents: Matthew McCaulley, SD States Attorneys Assn, Harrisburg  
Michael Houdyshell, Department of Revenue  
Roger A. Tellinghuisen, South Dakota Association of County Commissioners, Pierre  
Jim Manley, Pacific Legal Foundation, Phoenix AZ  
Opponents: James Bialota, Self, Rapid City

**MOTION: DO PASS HB 1090**

Moved by: Peterson (Sue)  
Second by: Perry  
Action: Was not acted on.

**MOTION: SUBSTITUTE MOTION: AMEND HB 1090**

1090A

On page 1, line 11, of the Introduced bill, after "sale." delete "Section 2. That chapter 10-25 be amended with a NEW SECTION:  
"

On page 1, line 12, of the Introduced bill, after "SECTION:" delete "Any person, except a county, acquiring real property by a tax deed after being issued a tax certificate shall offer the property at public auction in accordance with the provisions of chapter 6-13 and section 1 of this Act. The auction must occur within one year of the issuance of the tax deed. Following the sale, the seller of the property is entitled to compensation in the same manner as redemption of a tax certificate pursuant to § 10-24-1. The proceeds of the sale must be distributed in accordance with § 10-25-39."

Moved by: Jensen (Phil)  
Second by: Randolph  
Action: Failed by voice vote

**Revert to previous motion**

**MOTION: DO PASS HB 1090**

Moved by: Peterson (Sue)  
Second by: Perry  
Action: Prevailed by Majority Members Elect (11-2-0-0)

Voting Yes: Aylward, DeGroot, Duffy, Massie, May, Perry, Peterson (Sue), Pinnow, Pourier, Jamison, and Chaffee

Voting No: Jensen (Phil) and Randolph

**HB 1092 : revise provisions regarding the 911 emergency surcharge.**

Presented by: Representative Hugh Bartels  
Proponents: Troy Vandusen, Watertown Police Department, Watertown SD  
Jenna R. Severyn, South Dakota Police Chiefs Association, FORT PIERRE  
Staci Ackerman, South Dakota Sheriffs' Association, Eureka  
David Reiss, South Dakota Municipal League, Fort Pierre  
Kris Jacobsen, South Dakota Association of County Commissioners, Pierre  
Ted Ruffedt, Self, Rapid City  
Kent Jones, Self, Aberdeen  
Others: Michael Houdyshell, Department of Revenue

**MOTION: AMEND HB 1092**

1092A

On page 1, line 13, of the Introduced bill, after "section." delete "Section 2. That a NEW SECTION be added to chapter 34-45:

"

On page 1, line 14, of the Introduced bill, after "34-45:" delete "Counties must distribute any moneys received pursuant to § 34-45-8. 7 to the eligible public safety answering point serving the county."

Moved by: DeGroot  
Second by: Aylward  
Action: Prevailed by voice vote

**MOTION: DO PASS HB 1092 AS AMENDED**

Moved by: Pinnow  
Second by: Perry  
Action: Prevailed by Majority Members Elect (9-4-0-0)

Voting Yes: DeGroot, Duffy, Massie, Perry, Peterson (Sue), Pinnow, Randolph, Jamison, and Chaffee

Voting No: Aylward, Jensen (Phil), May, and Pourier

**SB 65 : modify time limits for collection efforts for debts owed to the state.**

Presented by: Anita Fuoss, Bureau of Human Resources and Administration  
Others: Megan Howard, Bureau of Human Resources and Administration

**MOTION: DO PASS SB 65**

Moved by: Chaffee  
Second by: Pourier  
Action: Prevailed by Majority Members Elect (13-0-0-0)

Voting Yes: Aylward, DeGroot, Duffy, Jensen (Phil), Massie, May, Perry, Peterson (Sue), Pinnow, Pourier, Randolph, Jamison, and Chaffee

**HB 1109 : 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.**

Presented by: Representative David Kull  
Proponents: Tom Egge, Self, Sioux Falls  
Kody R. Kyriss, South Dakota Association of Towns and Townships, Huron  
Opponents: Steven Kohler, Bureau of Finance and Management  
Others: Wendy Semmler, Department of Revenue

**MOTION: DO PASS HB 1109**

Moved by: Perry  
Action: Died for lack of a second

**MOTION: DEFER HB 1109 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Randolph  
Second by: Chaffee  
Action: Prevailed by Majority Members Elect (12-1-0-0)

Voting Yes: Aylward, DeGroot, Duffy, Jensen (Phil), Massie, May, Peterson (Sue), Pinnow, Pourier, Randolph, Jamison, and Chaffee

Voting No: Perry

**MOTION: ADJOURN**

Moved by: Chaffee  
Second by: DeGroot  
Action: Prevailed by voice vote

Madisen Vetter, Committee Secretary

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/s/ KIRK CHAFFEE  
Kirk Chaffee, Chair