

Minutes: House State Affairs

Monday, February 10, 2025 7:45 AM

Roll Call

Present: Rep. Bahmuller, Rep. Hansen, Rep. Healy, Rep. Heinemann, Rep. Jamison, Rep. Lems, Rep. Reisch, Rep. Schaeffbauer, Rep. Soye, Rep. Overweg, and Rep. Odenbach  
Excused: Rep. Emery and Rep. Gosch

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

**MOTION: TO APPROVE THE MINUTES OF FRIDAY, FEBRUARY 07<sup>TH</sup>**

Moved by: Hansen  
Second by: Soye  
Action: Prevailed by voice vote

**HB 1066 : revise residency requirements for the purposes of voter registration.**

Presented by: Representative Tony Kayser  
Proponents: Rick Weible, Self, Elkton  
Leah Anderson, Minnehaha County Auditor, Sioux Falls  
Opponents: Thomas Oliva, Hughes County Auditor, Pierre  
Jamalia Franzen, Self, Timber Lake  
Tom Deadrick, Secretary of State  
Brenda McGruder, Lawrence County Auditor, Deadwood

**MOTION: AMEND HB 1066**

1066J

On the previously adopted amendment (1066G), On page 3, line 24, after "residence." delete "Section 3. That § 12-18-10 be AMENDED:"

On the previously adopted amendment (1066G), On page 3, line 25, after "AMENDED:" delete "12-18-10. "

On the previously adopted amendment (1066G), On page 3, line 25, after "12-18-10. " delete "If a person an individual makes an application for ballots a ballot, or if an absentee ballot has been cast, the person's individual's right to vote at that poll and election may be challenged only as to the person's identity as the person registered whom the person claims to be or on grounds that within whether the individual:"

On the previously adopted amendment (1066G), On page 4, line 3, after "individual:" delete "(1) Is actually the individual registered to vote;

(2) Within fifteen days preceding the election the person, has been convicted of a felony or declared by proper authority;

(3) Was declared to be mentally incompetent by a proper authority; or

(4) Resides in Is a resident of this state, as provided defined in § 12-1-4 and sections 2 and 3 of this Act.

The proceedings shall to challenge an individual's right to vote must be conducted before the precinct superintendent and precinct deputies, who shall determine from the evidence presented whether or not the person the individual is permitted to vote and the. The members of the precinct election board shall indicate beside the individual's name on the registration list the ground stated and the result of the precinct election board's decision."

Moved by: Hansen  
Second by: Overweg  
Action: Prevailed by voice vote

**MOTION: DO PASS HB 1066 AS AMENDED**

Moved by: Schaeffbauer  
Second by: Hansen  
Action: Prevailed by Majority Members Elect (8-2-3-0)

Voting Yes: Bahmuller, Hansen, Heinemann, Jamison, Lems, Schaeffbauer, Soye, and Odenbach

Voting No: Reisch and Overweg

Excused: Emery, Gosch, and Healy

**HB 1211 : prohibit the use of a diversity, equity, or inclusion program in a law enforcement agency.**

Presented by: Representative Dylan Jordan  
Opponents: Doug Abraham, American Property Casualty Insurance Association, Chicago, IL

**MOTION: AMEND HB 1211**

1211A

On page 3, after line 5, of the Introduced bill, insert: "  
**Section 6. That a NEW SECTION be added to chapter 23-3:**

Nothing in this Act may be applied to, enforced against, or interpreted to conflict with, a Native American tribal police agency, or any state or cooperative local training program for Native American tribal police officers or a department or jurisdiction on reservation lands in the boundaries of this state."

Moved by: Overweg  
Second by: Schaeffbauer  
Action: Was not acted on.

**MOTION: SUBSTITUTE MOTION: AMEND HB 1211**

1211C

On page 1, line 16, of the Introduced bill, delete "  
(5) Enter into or renew a contract with any entity or organization that promotes or participates in a diversity, equity, or inclusion program;  
(6)" and insert "(5)"  
On page 1, line 21, of the Introduced bill, delete "(7)" and insert "(6)"  
On page 1, line 24, of the Introduced bill, delete "(8)" and insert "(7)"  
On page 2, line 6, of the Introduced bill, delete "(9)" and insert "(8)"  
On page 2, line 16, of the Introduced bill, delete " shall" and insert " may"  
On page 3, after line 5, of the Introduced bill, insert: "

**Section 6. That a NEW SECTION be added to chapter 23-3:**

Nothing in this Act may be applied to, enforced against, or interpreted to conflict with, a Native American tribal police agency, or any state or cooperative local training program for Native American tribal police officers or a department or jurisdiction on reservation lands in the boundaries of this state."

Moved by: Hansen  
Second by: Overweg  
Action: Prevailed by voice vote

**MOTION: DEFER HB 1211 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Reisch  
Second by: Healy  
Action: Prevailed by Majority Members Elect (10-1-2-0)

Voting Yes: Bahmuller, Hansen, Healy, Heinemann, Jamison, Lems, Reisch, Soye, Overweg, and Odenbach

Voting No: Schaefbauer

Excused: Emery and Gosch

**HB 1216 : modify and repeal provisions related to the Legislative Research Council.**

Presented by: Representative Jim Halverson

**MOTION: DO PASS HB 1216**

Moved by: Overweg  
Second by: Lems  
Action: Was not acted on.

**MOTION: SUBSTITUTE MOTION: AMEND HB 1216**

1216A

On page 1, line 3, of the Introduced bill, after "Dakota:" delete "Section 1. That § 2-7-6. 1 be AMENDED:  
"

On page 1, line 4, of the Introduced bill, after "AMENDED:" delete "2-7-6. 1. "  
On page 1, line 4, of the Introduced bill, after "2-7-6.1. " delete "No bill or joint resolution may be introduced in either house of the Legislature by any committee thereof, except:  
(1) A bill or a joint resolution introduced by any standing committee of either house;  
(2) A bill or joint resolution referred to the Legislature from an interim committee of the State Legislative Research Council;  
(3) A bill or joint resolution introduced, by one or more committee members upon majority vote of the interim committee, at the request of the interim:  
(a) Rules Review Committee, the interim;  
(b) Government Operations and Audit Committee, the interim ;  
(c) Retirement Laws Committee, the interim;

- (d) Joint Bonding Review Committee, and the interim;
- (e) State-Tribal Relations Committee by one or more committee members upon majority vote of the interim committee; or
- (f) Code Commission; or
- (4) A bill or joint resolution introduced at the request of the Governor, an executive agency, or of the chief justice of the Supreme Court.

The committee shall obtain a written request for such the introduction from either the council Legislative Research Council, the Governor, the department head of an executive agency, a constitutional officer or board, or the chief justice, and shall retain such the request in its file. Committee bills introduced on behalf of a department head of an executive agency, a constitutional officer, or board may be introduced by the chairman chair without a vote of the committee for purposes of prefiling.

Nothing in this section prohibits one or more legislators from introduction of introducing a bill or a joint resolution."

Moved by: Hansen  
 Second by: Soye  
 Action: Prevailed by voice vote

**MOTION: DO PASS HB 1216 AS AMENDED**

Moved by: Overweg  
 Second by: Lems  
 Action: Prevailed by Majority Members Elect (10-1-2-0)

Voting Yes: Bahmuller, Hansen, Healy, Heinemann, Jamison, Lems, Reisch, Schaeffbauer, Soye, and Overweg

Voting No: Odenbach

Excused: Emery and Gosch

**HB 1169 : modify the signature requirement for a petition to initiate a constitutional amendment.**

Presented by: Representative Rebecca Reimer  
 Proponents: Senator Tom Pischke  
                   Dale Allen Bartscher, South Dakota Right to Life, Rapid City  
                   Matthew M. Bogue, South Dakota Farm Bureau Federation, Huron  
                   Senator Jim Mehlhaff  
                   Brian Gosch, National Rifle Association of America, Fairfax, VA  
                   Don Haggard, self, Sioux Falls  
 Opponents: Zebadiah N. Johnson, Voter Defense Association of South Dakota, Sioux Falls  
                   Melissa McCauley, Dakota Rural Action, Brookings

**MOTION: AMEND HB 1169**

1169A

On page 1, line 10, of the Introduced bill, delete " ten" and insert " five"

Moved by: Overweg  
 Second by: Hansen

Action: Prevailed by voice vote

**MOTION: DO PASS HB 1169 AS AMENDED**

Moved by: Hansen

Second by: Soye

Action: Prevailed by Majority Members Elect (10-1-2-0)

Voting Yes: Bahmuller, Hansen, Heinemann, Jamison, Lems, Reisch, Schaeffbauer, Soye, Overweg, and Odenbach

Voting No: Healy

Excused: Emery and Gosch

**HB 1145 : amend provisions pertaining to the maintenance and publication of the statewide voter registration file.**

Presented by: Representative Heather Baxter

**MOTION: TO TABLE HB 1145**

Moved by: Overweg

Second by: Hansen

Action: Prevailed by Majority Members Elect (11-0-2-0)

Voting Yes: Bahmuller, Hansen, Healy, Heinemann, Jamison, Lems, Reisch, Schaeffbauer, Soye, Overweg, and Odenbach

Excused: Emery and Gosch

**HB 1220 : amend provisions pertaining to the verification of registered voters contained in the master registration file.**

Presented by: Representative Heather Baxter

Proponents: Rick Weible, Self, Elkton

Leah Anderson, Minnehaha County Auditor, Sioux Falls

Linda Montgomery, Self, Fairview

Scott Montgomery, Self, Fairview

Opponents: Lindley Howard, McPherson County Auditor, Leola

Brenda McGruder, Lawrence County Auditor, Deadwood

**MOTION: AMEND HB 1220**

1220B

On page 1, line 5, of the Introduced bill, delete " a" and insert " an immediate"

On page 1, line 8, of the Introduced bill, delete " a" and insert " an immediate"

On page 1, line 9, of the Introduced bill, after "the " insert "immediate "

On page 1, line 10, of the Introduced bill, after "the" insert " immediate"

Moved by: Schaeffbauer

Second by: Reisch

Action: Prevailed by Majority Members Elect (7-4-2-0)

Voting Yes: Hansen, Heinemann, Jamison, Lems, Reisch, Schaeffbauer, and Soye

Voting No: Bahmuller, Healy, Overweg, and Odenbach

Excused: Emery and Gosch

**MOTION: AMEND HB 1220**

1220C

On the previously adopted amendment (1220B), On page 2, line 5, after "voter; (b) The" delete " rental"

Moved by: Hansen

Second by: Lems

Action: Prevailed by voice vote

**MOTION: AMEND HB 1220**

1220E

On the previously adopted amendment (1220C), On page 2, line 16, after "two" insert " business"

Moved by: Lems

Second by: Hansen

Action: Was not acted on.

**MOTION: SUBSTITUTE MOTION: DEFER HB 1220 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Healy

Second by: Overweg

Action: Failed by Majority Members Elect (3-8-2-0)

Voting Yes: Bahmuller, Healy, and Overweg

Voting No: Hansen, Heinemann, Jamison, Lems, Reisch, Schaeffbauer, Soye, and Odenbach

Excused: Emery and Gosch

**Revert to previous motion**

**MOTION: AMEND HB 1220**

1220E

On the previously adopted amendment (1220C), On page 2, line 16, after "two" insert " business"

Moved by: Lems  
Second by: Hansen  
Action: Prevailed by voice vote

**MOTION: DO PASS HB 1220 AS AMENDED**

Moved by: Heinemann  
Second by: Hansen  
Action: Prevailed by Majority Members Elect (8-3-2-0)

Voting Yes: Hansen, Heinemann, Jamison, Lems, Reisch, Schaeffbauer, Soye, and Odenbach

Voting No: Bahmuller, Healy, and Overweg

Excused: Emery and Gosch

**MOTION: ADJOURN**

Moved by: Reisch  
Second by: Hansen  
Action: Prevailed by voice vote

Pam Kean, Committee Secretary

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/s/ SCOTT ODENBACH  
Scott Odenbach, Chair