

# *JOURNAL OF THE HOUSE*

## *ONE HUNDREDTH SESSION*

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THIRTY-FOURTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Monday, March 10, 2025

The House convened at 1:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Jeff Lathrop, followed by the Pledge of Allegiance led by House page Sver Ansorge-Jepsen.

Roll Call: All members present except Rep. Pourier who was excused.

### **APPROVAL OF THE JOURNAL**

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Secretary of the House has had under consideration the House Journal of the 33rd day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Jon Hansen, Chair

Which motion prevailed.

1 The oath of office was administered by Speaker Hansen to the following named pages:

2 Braxton Adams, Sver Ansorge-Jepsen, Landon Berg, Ella Locke, Kaysen Magee, Olivia Miller,  
3 Avarie Prien, Donovan Shipley.

4 Which was subscribed to and placed on file in the office of the Secretary of State.

5 **REPORTS OF STANDING COMMITTEES**

6 MR. SPEAKER:

7 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and  
8 Enrolling has carefully compared **HB 1016, 1040, 1061, 1116, 1139, 1174, 1225, and 1232**  
9 and finds the same correctly enrolled.

10 Respectfully submitted,  
11 Jon Hansen, Chair

12 MR. SPEAKER:

13 The Committee on Legislative Procedure respectfully reports that **HJR 5002** was delivered to  
14 her Excellency, the Secretary of State, for filing at 9:40 a.m., March 10, 2025.

15 Respectfully submitted,  
16 Jon Hansen, Chair

17 MR. SPEAKER:

18 The Committee on Legislative Procedure respectfully reports that **HB 1015, 1021, 1036,**  
19 **1037, 1059, 1106, 1126, 1127, 1132, 1164, 1221, and 1222** were delivered to his Excellency,  
20 the Governor, for his approval at 9:40 a.m., March 10, 2025.

21 Respectfully submitted,  
22 Jon Hansen, Chair

23 **MESSAGES FROM THE SENATE**

24 MR. SPEAKER:

25 I have the honor to return herewith **HB 1040, 1061, 1116, 1139, 1174, and 1225** which  
26 have passed the Senate without change.

27 Also MR. SPEAKER:

28 I have the honor to inform your honorable body that the Senate has concurred in House  
29 amendments to **SB 75 and 176**.

30 Also MR. SPEAKER:

31 I have the honor to return herewith **HCR 6003, 6011, and 6013** in which the Senate has  
32 concurred.

1 Also MR. SPEAKER:

2 I have the honor to inform your honorable body that **HB 1204** was tabled.

3 Also MR. SPEAKER:

4 I have the honor to inform your honorable body that **HCR 6009** was lost on second reading  
5 and final passage.

6 Respectfully,  
7 Peggy Laurenz, Secretary

8 **MOTIONS AND RESOLUTIONS**

9 Rep. Mulder moved that the Committee on Judiciary be instructed to deliver **SB 172** to the  
10 floor of the House, pursuant to JR 7-7.

11 Which motion was supported and the committee was so instructed.

12 **SECOND READING AND CONSIDERATION OF CONSENT CALENDAR ITEMS**

13 **SB 120:** FOR AN ACT ENTITLED, An Act to update the membership of the Animal Industry  
14 Board to include a poultry producer.

15 Was read the second time.

16 The question being "Shall **SB 120** pass as amended?"

17 And the roll being called:

18 Yeas 69, Nays 0, Excused 1, Absent 0

19 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby,  
20 Duffy, Emery, Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann,  
21 Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser,  
22 Kolbeck (Jack), Kull, Ladner, Lems, Manhart, Massie, May, Moore, Mortenson, Muckey, Mulally,  
23 Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Randolph, Reder, Rehfeldt, Reimer,  
24 Reisch, Rice, Roby, Roe, Schaeftbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk,  
25 Van Diepen, Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

26 Excused: Pourier

27 So the bill having received an affirmative vote of a majority of the members-elect, the Speaker  
28 declared the bill passed and the title was agreed to.

29 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

30 **SB 169:** FOR AN ACT ENTITLED, An Act to require a public hearing prior to a vote to impose  
31 an excess tax levy.

32 Was read the second time.

1 Rep. Goodwin moved that **SB 169** be amended as follows:

2 169D

3 On page 1, line 1, of the Senate Taxation Engrossed bill, delete "require a public hearing prior  
4 to a vote to impose an excess tax levy" and insert "eliminate certain property taxes levied on owner-  
5 occupied single-family dwellings, and to increase certain gross receipts tax rates and use tax rates"

6 On the Senate Taxation Engrossed bill, delete everything after the enacting clause and insert:

7 "

8 **Section 1.** It is the intention of the Legislature that the proceeds of the tax rate increases in  
9 sections 3 to 18, inclusive, and section 24 of this Act, are used to supplant all foregone property tax  
10 revenue from a mill levy of zero applied to owner-occupied single-family dwellings for school district  
11 general funds and school district special education funds.

12 It is the intention of the Legislature that these levies for owner-occupied single-family dwellings  
13 do not affect the mill levies for the other classifications of real property, and do not adversely affect  
14 the total amount of moneys available to school districts through the school district funding formulas  
15 for general funds and special education funds.

16 **Section 2. That § 10-12-42 be AMENDED:**

17 **10-12-42.** For taxes payable in ~~2025~~ 2026, and each year thereafter, the levy for the general  
18 fund of a school district is as follows:

19 (1) The maximum ~~tax mill~~ levy is five dollars and fifty-four and four-tenths cents per  
20 thousand dollars of taxable valuation, subject to the limitations on agricultural property  
21 as provided in subdivision (2) ~~of this section~~ and owner-occupied property as provided  
22 in subdivision (3) ~~of this section~~;

23 (2) The maximum ~~tax mill~~ levy on agricultural property for the school district is one dollar  
24 and nineteen and seven-tenths cents per thousand dollars of taxable valuation. If the  
25 district's levies are less than the maximum levies as stated in this section, the mill levies  
26 imposed in subdivisions (1) and (2) must maintain the same proportion to each other  
27 as represented in the mathematical relationship at the maximum mill levies; and

28 (3) The maximum ~~tax mill~~ levy for an owner-occupied single-family dwelling pursuant to  
29 § 10-13-40 for the school district is ~~two dollars and sixty seven and nine tenths cents~~  
30 zero dollars and zero cents per thousand dollars of taxable valuation. ~~If the district's~~  
31 ~~levies are less than the maximum levies as stated in this section, the levies must~~  
32 ~~maintain the same proportion to each other as represented in the mathematical~~  
33 ~~relationship at the maximum levies.~~

34 All levies in this section must be imposed on valuations where the median level of assessment  
35 represents eighty-five percent of market value as determined by the Department of Revenue. These  
36 valuations must be used for all school funding purposes. If the district has imposed an excess levy  
37 pursuant to § 10-12-43, the levies must maintain the same proportion to each other as represented  
38 in the mathematical relationship at the maximum levies in this section. The school district may elect  
39 to tax at less than the maximum amounts set forth in this section.

40 **Section 3. That § 10-45-2 be AMENDED:**

41 **10-45-2.** There is hereby imposed a tax upon the privilege of engaging in business as a  
42 retailer, a tax ~~of four and two tenths at the rate of five percent~~ upon the gross receipts of all sales  
43 of tangible personal property consisting of goods, wares, or merchandise, except as otherwise  
44 provided in this chapter, sold at retail in the state to consumers or users.

45 **Section 4. That § 10-45-5 be AMENDED:**

- 1           **10-45-5.** There is imposed a tax, at the same rate of ~~four and two-tenths percent~~ set forth in  
2   § 10-45-2, upon the gross receipts of any person ~~from~~ engaging or continuing in any of the following  
3   businesses or services in this state:
- 4           ~~(1) abstracters~~ Abstracters;
- 5           ~~(2) accountants~~ Accountants;
- 6           ~~(3) ancillary~~ Ancillary services;
- 7           ~~(4) architects~~ Architects;
- 8           ~~(5) barbers~~ Barbers;
- 9           ~~(6) beauty~~ Beauty shops;
- 10          ~~(7) bill~~ Bill collection services;
- 11          ~~(8) blacksmith~~ Blacksmith shops;
- 12          ~~(9) car~~ Car washing;
- 13          ~~(10) dry~~ Dry cleaning;
- 14          ~~(11) dyeing~~ Dyeing;
- 15          ~~(12) exterminators~~ Exterminators;
- 16          ~~(13) garage~~ Garage and service stations;
- 17          ~~(14) garment~~ Garment alteration;
- 18          ~~(15) cleaning~~ Cleaning and pressing;
- 19          ~~(16) janitorial~~ Janitorial services and supplies;
- 20          ~~(17) specialty~~ Specialty cleaners;
- 21          ~~(18) laundry~~ Laundry;
- 22          ~~(19) linen~~ Linen and towel supply;
- 23          ~~(20) membership~~ Membership or entrance fees for the use of a facility or for the right to purchase  
24                   tangible personal property, any product transferred electronically, or services;
- 25          ~~(21) photography~~ Photography;
- 26          ~~(22) photo~~ Photo developing and enlarging;
- 27          ~~(23) tire~~ Tire recapping;
- 28          ~~(24) welding~~ Welding and all repair services, except repair services for farm machinery,  
29                   attachment units, and irrigation equipment used exclusively for agricultural purposes;
- 30          ~~(25) cable~~ Cable television; and
- 31          ~~(26) rentals~~ Rentals of tangible personal property except leases of tangible personal property  
32                   between one telephone company and another telephone company, motor vehicles as

1 defined pursuant to § 32-5-1 leased under a single contract for more than twenty-eight  
2 days, and mobile homes.

3 ~~However, the~~ The specific enumeration of businesses and professions made in this section does  
4 not, in any way, limit the scope and effect of the provisions of § 10-45-4.

5 **Section 5. That § 10-45-5.3 be AMENDED:**

6 **10-45-5.3.** There is imposed, at the ~~same rate of four and two-tenths percent set forth in §~~  
7 10-45-2, an excise tax on the gross receipts of any person engaging in oil and gas field services  
8 (group no. 138) as enumerated in the Standard Industrial Classification Manual, 1987, as prepared  
9 by the Statistical Policy Division of the Office of Management and Budget, Office of the President.

10 **Section 6. That § 10-45-6 be AMENDED:**

11 **10-45-6.** There is hereby imposed a tax ~~of four and two-tenths percent, at the same rate set~~  
12 forth in § 10-45-2, upon the gross receipts from sales, furnishing, or service of gas, electricity, and  
13 water, including the gross receipts from ~~such these~~ sales by any municipal corporation furnishing  
14 gas, and electricity, to the public in its proprietary capacity, except as otherwise provided in this  
15 chapter, when sold at retail in ~~the State of South Dakota~~ this state to consumers or users.

16 **Section 7. That § 10-45-6.1 be AMENDED:**

17 **10-45-6.1.** Except as provided in § 10-45-6.2, there is hereby imposed a tax ~~of four and two-~~  
18 ~~tenths percent, at the same rate set forth in § 10-45-2~~, upon the gross receipts from providing any  
19 intrastate, interstate, or international telecommunications service that originates or terminates in  
20 this state and that is billed or charged to a service address in this state, or that both originates and  
21 terminates in this state. However, the tax imposed by this section does not apply to:

- 22 (1) Any eight hundred or eight hundred-type service, unless the service both originates and  
23 terminates in this state;
- 24 (2) Any sale of a telecommunication service to a provider of telecommunication services,  
25 including access service, for use in providing any telecommunication service; or
- 26 (3) Any sale of interstate telecommunication service provided to a call center that has been  
27 certified by the secretary of revenue to meet the criterion established in § 10-45-6.3  
28 and the call center has provided to the telecommunications service provider an  
29 exemption certificate issued by the secretary indicating that it meets the criterion.

30 If a call center uses an exemption certificate to purchase services not meeting the criterion  
31 established in § 10-45-6.3, the call center is liable for the applicable tax, penalty, and interest.

32 **Section 8. That § 10-45-6.2 be AMENDED:**

33 **10-45-6.2.** There is hereby imposed a tax ~~of four and two-tenths percent, at the same rate~~  
34 set forth in § 10-45-2, upon the gross receipts of mobile telecommunications services, as defined in  
35 4 U.S.C. § 124(7) ~~as of~~ (January 1, 2002), that originate and terminate in the same state and are  
36 billed to a customer with a place of primary use in this state or are deemed to have originated or  
37 been received in this state and to be billed or charged to a service address in this state if the  
38 customer's place of primary use is located in this state regardless of where the service actually  
39 originates or terminates. Notwithstanding any other provision of this chapter and for purposes of  
40 the tax imposed by this section, the tax imposed upon mobile telecommunication services must be  
41 administered in accordance with 4 U.S.C. §§ 116-126, ~~as in effect on~~ (July 28, 2000).

42 **Section 9. That § 10-45-8 be AMENDED:**

43 **10-45-8.** Except as otherwise provided in this chapter, there is imposed a tax ~~of four and two-~~  
44 ~~tenths percent, at the same rate set forth in § 10-45-2~~, upon the gross receipts from all sales of  
45 tickets or admissions to:

- 1 (1) Places of amusement;
- 2 (2) Athletic contests; or
- 3 (3) Events.

4 **Section 10. That § 10-45-71 be AMENDED:**

5 **10-45-71.** There is imposed a tax ~~of four and two-tenths percent, at the same rate set forth~~  
 6 ~~in § 10-45-2,~~ on the gross receipts from the transportation of passengers. The tax imposed by this  
 7 section applies to any transportation of passengers if the passenger boards and exits the mode of  
 8 transportation within this state.

9 **Section 11. That § 10-46-2.1 be AMENDED:**

10 **10-46-2.1.** For the privilege of using services in ~~South Dakota~~ this state, except those types  
 11 of services exempted by § 10-46-17.3, there is imposed on the person using the service an excise  
 12 tax ~~equal to four and two-tenths at a rate of five~~ percent of the value of the services at the time  
 13 they are rendered. ~~However, this~~ This tax may not be imposed on any service rendered by a related  
 14 corporation, as defined in subdivision 10-43-1(11), for use by a financial institution, as defined in  
 15 subdivision 10-43-1(4); ~~or on any service rendered by a financial institution, as defined in~~  
 16 ~~subdivision 10-43-1(4),~~ for use by a related corporation as defined in subdivision 10-43-1(11) and  
 17 as provided below.

18 For the purposes of this section, the term, related corporation, includes a corporation, which  
 19 together with the financial institution, is part of a controlled group of corporations, as defined in 26  
 20 U.S.C. § 1563 ~~as in effect on (January 1, 1989),~~ except that the eighty percent ownership  
 21 requirements set forth in 26 U.S.C. § ~~563(a)(2)(A).~~ § 1563(a) for a brother-sister controlled group  
 22 are reduced to fifty-one percent.

23 For the purpose of this chapter, services rendered by an employee for the use of the employer  
 24 are not taxable.

25 **Section 12. That § 10-46-2.2 be AMENDED:**

26 **10-46-2.2.** An excise tax is imposed upon the privilege of the use of rented tangible personal  
 27 property and any product transferred electronically in this state at the same ~~rate of four and two-~~  
 28 ~~tenths percent of set forth in § 10-46-2.1,~~ on the rental payments upon the property.

29 **Section 13. That § 10-46-58 be AMENDED:**

30 **10-46-58.** There is imposed a tax ~~of four and two-tenths percent on,~~ at the same rate set  
 31 forth in § 10-46-2.1, upon the privilege of the use of any transportation of passengers. The tax  
 32 imposed by this section applies to any transportation of passengers if the passenger boards and  
 33 exits the mode of transportation within this state.

34 **Section 14. That § 10-46-69 be AMENDED:**

35 **10-46-69.** There is hereby imposed a tax ~~of four and two-tenths percent, at the same rate set~~  
 36 forth in § 10-46-2.1, upon the privilege of the use of mobile telecommunications services, as defined  
 37 in 4 U.S.C. § 124(7) ~~as of (January 1, 2002),~~ that originate and terminate in the same state and  
 38 are billed to a customer with a place of primary use in this state. Notwithstanding any other provision  
 39 of this chapter and for purposes of the tax imposed by this section, the tax imposed upon mobile  
 40 telecommunication services must be administered in accordance with 4 U.S.C. §§ 116-126, ~~as in~~  
 41 ~~effect on (July 28, 2000).~~

42 **Section 15. That § 10-46-69.1 be AMENDED:**

43 **10-46-69.1.** Except as provided in § 10-46-69, there is hereby imposed a tax ~~of four and two-~~  
 44 ~~tenths percent, at the same rate set forth in § 10-46-2.1,~~ upon the privilege of the use of any

1 intrastate, interstate, or international telecommunications service that originates or terminates in  
 2 this state and that is billed or charged to a service address in this state, or that both originates and  
 3 terminates in this state. ~~However, the~~ The tax imposed by this section does not apply to:

- 4 (1) Any eight hundred or eight hundred type service, unless the service both originates and  
 5 terminates in this state;
- 6 (2) Any sale of a telecommunication service to a provider of telecommunication services,  
 7 including access service, for use in providing any telecommunication service; or
- 8 (3) Any sale of interstate telecommunication service provided to a call center that has been  
 9 certified by the secretary of revenue to meet the criterion established in § 10-45-6.3  
 10 and the call center has provided to the telecommunications service provider an  
 11 exemption certificate issued by the secretary indicating that it meets the criterion.

12 If a call center uses an exemption certificate to purchase services not meeting the criterion  
 13 established in § 10-45-6.3, the call center is liable for the applicable tax, penalty, and interest.

14 **Section 16. That § 10-46-69.2 be AMENDED:**

15 **10-46-69.2.** There is hereby imposed a tax of ~~four and two-tenths percent~~, at the same rate  
 16 set forth in § 10-46-2.1, upon the privilege of the use of any ancillary services.

17 **Section 17. That § 10-46E-1 be AMENDED:**

18 **10-46E-1.** There is hereby imposed an excise tax of ~~four and two-tenths~~ five percent on the  
 19 gross receipts from the sale, resale, or lease of farm machinery, attachment units, and irrigation  
 20 equipment used exclusively for agricultural purposes. ~~However, if~~ If any trade-in or exchange of  
 21 used farm machinery, attachment units, and irrigation equipment is involved in the transaction, the  
 22 excise tax is only due and may only be collected on the cash difference.

23 **Section 18. That § 10-58-1 be AMENDED:**

24 **10-58-1.** There is imposed upon owners and operators a special amusement excise tax of ~~four~~  
 25 ~~and two-tenths~~ five percent of the gross receipts from the sale or the operation of any mechanical  
 26 or electronic amusement device. The tax imposed by this section is in lieu of the tax imposed  
 27 pursuant to chapter 10-45.

28 **Section 19. That § 13-37-16 be AMENDED:**

29 **13-37-16.** For taxes payable in ~~2025~~ 2026, and each year thereafter, the school board shall  
 30 levy no more than one dollar and forty-eight and eight-tenths cents per thousand dollars of taxable  
 31 valuation of property classified for purposes of taxation as agricultural property or nonagricultural  
 32 property, as a special levy in addition to all other levies authorized by law for the amount so  
 33 determined to be necessary, and the levy must be spread against all of the taxable property of the  
 34 district not classified as owner-occupied single-family dwellings, as defined in § 10-13-39. The  
 35 proceeds derived from the levy constitute a school district special education fund of the district for  
 36 the payment of costs for the special education of all children in need of special education or special  
 37 education and related services who reside within the district pursuant to the provisions of §§ 13-  
 38 37-8.4 to 13-37-8.10, inclusive. The levy in this section is based on valuations where the median  
 39 level of assessment represents eighty-five percent of market value as determined by the  
 40 Department of Revenue. The total amount of taxes that would be generated at the levy pursuant to  
 41 this section is considered local effort. Money in the special education fund may be expended for the  
 42 purchase or lease of any assistive technology that is directly related to special education and  
 43 specified in a student's individualized education plan. This section does not apply to real property  
 44 improvements.

45 **Section 20. That § 13-37-35.1 be AMENDED:**

46 **13-37-35.1.** Terms used in chapter 13-37 mean:



- 
- 1 (1) "Level one disability," a mild disability;
- 2 (2) "Level two disability," cognitive disability or emotional disorder;
- 3 (3) "Level three disability," hearing impairment, deafness, visual impairment, deaf-  
4 blindness, orthopedic impairment, or traumatic brain injury;
- 5 (4) "Level four disability," autism;
- 6 (5) "Level five disability," multiple disabilities;
- 7 (5A) "Level six disability," prolonged assistance;
- 8 (6) "Index factor," is the annual percentage change in the consumer price index for urban  
9 wage earners and clerical workers as computed by the Bureau of Labor Statistics of the  
10 United States Department of Labor for the year before the year immediately preceding  
11 the year of adjustment or three percent, whichever is less;
- 12 (7) "Local effort," must be calculated for taxes payable in 2025 and thereafter using a special  
13 education levy of one dollar and twenty-eight and eight-tenths cents per one thousand  
14 dollars of taxable valuation of property classified for purposes of taxation as agricultural  
15 property or nonagricultural property;
- 16 (8) "Allocation for a student with a level one disability," for the school fiscal year beginning  
17 July 1, 2024, is \$7,556.00. For each school year thereafter, the allocation for a student  
18 with a level one disability must be the previous fiscal year's allocation for the child  
19 increased by the index factor;
- 20 (9) "Allocation for a student with a level two disability," for the school fiscal year beginning  
21 July 1, 2024, is \$16,553.00. For each school year thereafter, the allocation for a student  
22 with a level two disability must be the previous fiscal year's allocation for the child  
23 increased by the index factor;
- 24 (10) "Allocation for a student with a level three disability," for the school fiscal year beginning  
25 July 1, 2024, is \$22,854.00. For each school year thereafter, the allocation for a student  
26 with a level three disability must be the previous fiscal year's allocation for the child  
27 increased by the index factor;
- 28 (11) "Allocation for a student with a level four disability," for the school fiscal year beginning  
29 July 1, 2024, is \$17,831.00. For each school year thereafter, the allocation for a student  
30 with a level four disability must be the previous fiscal year's allocation for the child  
31 increased by the index factor;
- 32 (12) "Allocation for a student with a level five disability," for the school fiscal year beginning  
33 July 1, 2024, is \$36,582.00. For each school year thereafter, the allocation for a student  
34 with a level five disability must be the previous fiscal year's allocation for the child  
35 increased by the index factor;
- 36 (12A) "Allocation for a student with a level six disability," for the school fiscal year beginning  
37 July 1, 2024, is \$11,692.00. For each school year thereafter, the allocation for a student  
38 with a level six disability must be the previous fiscal year's allocation for the child  
39 increased by the index factor;
- 40 (13) "Child count," is the number of students in need of special education or special education  
41 and related services according to criteria set forth in rules promulgated pursuant to  
42 §§ 13-37-1.1 and 13-37-46 submitted to the Department of Education;
- 43 (14) "Fall enrollment," the number of kindergarten-through-twelfth-grade students enrolled  
44 in all schools operated by the school district on the last Friday of September of the  
45 previous school year minus the number of students for whom the district receives

- 1 tuition, except any nonresident student who is in the care and custody of a state agency  
2 and is attending a public school and any student for whom tuition is being paid pursuant to  
3 § 13-28-42.1, plus the number of students for whom the district pays tuition;
- 4 (15) "Nonpublic school," a sectarian organization or entity accredited by the secretary of  
5 education for the purpose of instructing children of compulsory school age. This  
6 definition excludes any school that receives a majority of its revenues from public funds;
- 7 (16) "Nonpublic fall enrollment," the number of children under age eighteen, who are  
8 approved for alternative instruction pursuant to § 13-27-3 on the last Friday of  
9 September of the previous school year plus:
- 10 (a) For nonpublic schools located within the boundaries of a public school district  
11 with a fall enrollment of six hundred or more on the last Friday of September of  
12 the previous school year, the number of kindergarten-through-twelfth-grade  
13 students enrolled on the last Friday of September of the previous regular school  
14 year in all nonpublic schools located within the boundaries of the public school  
15 district;
- 16 (b) For nonpublic schools located within the boundaries of a public school district  
17 with a fall enrollment of less than six hundred on the last Friday of September  
18 of the previous school year, the number of resident kindergarten-through-  
19 twelfth-grade students enrolled on the last Friday of September of the previous  
20 school year in all nonpublic schools located within this state;
- 21 (17) "Special education fall enrollment," fall enrollment plus nonpublic fall enrollment;
- 22 (18) "Local need," an amount to be determined as follows:
- 23 (a) Multiply the special education fall enrollment by 0.1062 and multiply the result  
24 by the allocation for a student with a level one disability;
- 25 (b) Multiply the number of students having a level two disability as reported on the  
26 child count for the previous school fiscal year by the allocation for a student with  
27 a level two disability;
- 28 (c) Multiply the number of students having a level three disability as reported on  
29 the child count for the previous school fiscal year by the allocation for a student  
30 with a level three disability;
- 31 (d) Multiply the number of students having a level four disability as reported on the  
32 child count for the previous school fiscal year by the allocation for a student with  
33 a level four disability;
- 34 (e) Multiply the number of students having a level five disability as reported on the  
35 child count for the previous school fiscal year by the allocation for a student with  
36 a level five disability;
- 37 (f) Multiply the number of students having a level six disability as reported on the  
38 child count for the previous school fiscal year by the allocation for a student with  
39 a level six disability;
- 40 (g) When calculating local need at the statewide level, include the amount set aside  
41 for extraordinary costs defined in § 13-37-40;
- 42 (h) When calculating local need at the statewide level, include the amount set aside  
43 for the South Dakota School for the Blind and Visually Impaired;
- 44 (i) Sum the results of subdivisions (18)(a) to (h), inclusive;

1 (19) "Effort factor," the school district's special education tax levy in dollars per thousand  
2 divided by \$1.288. The maximum effort factor is 1.0.

3 **Section 21. That § 13-13-71 be AMENDED:**

4 **13-13-71.** If local effort increases on a statewide aggregate basis by a greater percentage  
5 than local need on a statewide aggregate basis from any one year to the next, for the following year  
6 each of the mill levies specified in subdivision 13-13-10.1(13) shall subdivisions 10-12-42(1) and  
7 (2) must be reduced proportionally so that the percentage increase in local effort on a statewide  
8 aggregate basis equals the percentage increase in need on a statewide aggregate basis.

9 **Section 22. That § 13-13-72 be AMENDED:**

10 **13-13-72.** ~~It is the policy of the Legislature that In 2026 and each year thereafter, the~~  
11 ~~appropriation for state aid to education must increase on an annual basis annually by the percentage~~  
12 ~~increase in local need on an aggregate statewide basis so that the relative proportion of local need~~  
13 ~~paid by local effort and state aid shall remain constant. For school fiscal years 2017 to 2022,~~  
14 ~~inclusive, the proportion of local need paid by local effort and state aid shall be adjusted annually~~  
15 ~~to maintain the proportion between state aid and local property taxes and to reflect adjustments in~~  
16 ~~local effort due to the implementation of the other revenue base amount as defined in § 13-13-~~  
17 ~~10.1.~~

18 **Section 23. That § 13-13-72.1 be AMENDED:**

19 **13-13-72.1.** ~~Any adjustments In 2026 and each year thereafter, any adjustment in the levies~~  
20 ~~specified in § 10-12-42 made pursuant to §§ 13-13-71 and 13-13-72 shall be based on maintaining~~  
21 ~~must maintain~~ the relationship between statewide local effort as a percentage of statewide local  
22 need in the fiscal year succeeding the fiscal year in which the adjustment is made. ~~For school fiscal~~  
23 ~~years 2017 to 2022, inclusive, the proportion of local need paid by local effort and state aid shall be~~  
24 ~~adjusted annually to reflect adjustments in local effort due to the implementation of the other~~  
25 ~~revenue base amount as defined in § 13-13-10.1. However, if~~ If the levies specified in § 10-12-42  
26 are not adjusted to maintain this relationship, the target teacher salary, as defined in § 13-13-10.1  
27 shall be, is reduced to maintain the relationship between statewide local effort as a percentage of  
28 statewide local need.

29 **Section 24. That § 32-5B-20 be AMENDED:**

30 **32-5B-20.** There is hereby imposed a tax of ~~four and two tenths~~ five percent upon the gross  
31 receipts of any person renting a rental vehicle as defined in § 32-5B-19. This tax applies to all  
32 vehicles registered in accordance with § 32-5-6, 32-5-8.1, or 32-5-9. Any rental vehicle not licensed  
33 in accordance with § 32-5-6, 32-5-8.1, or 32-5-9 is subject to the motor vehicle excise tax in § 32-  
34 5B-1.

35 The tax imposed by this section is in addition to any tax levied pursuant to chapter 10-45 or  
36 10-46 upon the rental of a rental vehicle. The provisions of chapter 10-45 apply to the administration  
37 and enforcement of the tax imposed by this section. The tax imposed by this section is in lieu of the  
38 tax levied by § 32-5B-1 on the sales of such motor vehicles. A violation of this section is a Class 1  
39 misdemeanor.

40 **Section 25.** Sections 3 to 18, inclusive, and section 24 of this Act are effective beginning January  
41 1, 2026.

42 **Section 26. That 2023 Session Laws, chapter 32, § 19, be REPEALED:**

43 ~~The amendments to the Code sections in sections 1 to 17, inclusive, of this Act are repealed~~  
44 ~~on June 30, 2027, and those Code sections will revert in word and substance to that which existed~~  
45 ~~immediately prior to the effective date of this Act.~~

46 "

1 Rep. Rehfeldt requested a roll call vote.

2 Which request was supported.

3 The question being on Rep. Goodwin's motion that **SB 169** be amended.

4 And the roll being called:

5 Yeas 35, Nays 34, Excused 1, Absent 0

6 Yeas: Arlint, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald,  
7 Goodwin, Halverson, Healy, Heermann, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Mortenson,  
8 Muckey, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk,  
9 Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

10 Nays: Andera, Auch, Aylward, Baxter, Garcia, Gosch, Greenfield, Heinemann, Hughes, Hunt,  
11 Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, May, Moore, Mulally,  
12 Mulder, Nolz, Novstrup, Odenbach, Overweg, Randolph, Reder, Rice, Schaeftbauer, Schwans,  
13 Sjaarda, Soye, and Speaker Hansen

14 Excused: Pourier

15 So the motion having received an affirmative vote of a majority of the members present, the  
16 Speaker declared the motion prevailed.

17 The question being "Shall **SB 169** pass as amended?"

18 And the roll being called:

19 Yeas 27, Nays 42, Excused 1, Absent 0

20 Yeas: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Goodwin,  
21 Halverson, Heermann, Kassin, Kull, Ladner, Mortenson, Rehfeldt, Reimer, Reisch, Roby, Roe,  
22 Shorma, Stevens, Van Diepen, Vasgaard, Walburg, Weems, and Weisgram

23 Nays: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Gosch, Greenfield, Healy,  
24 Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kayser,  
25 Kolbeck (Jack), Lems, Manhart, Massie, May, Moore, Muckey, Mulally, Mulder, Nolz, Novstrup,  
26 Odenbach, Overweg, Peterson (Drew), Randolph, Reder, Rice, Schaeftbauer, Schwans, Sjaarda,  
27 Soye, Uhre-Balk, Wittman, and Speaker Hansen

28 Excused: Pourier

29 So the bill not having received an affirmative vote of a two-thirds majority of the members-  
30 elect, the Speaker declared the bill lost.

31 **SB 164:** FOR AN ACT ENTITLED, An Act to prohibit the use of a deepfake to influence an  
32 election and to provide a penalty therefor.

33 Was read the second time.

34 The question being "Shall **SB 164** pass as amended?"

35 And the roll being called:

36 Yeas 45, Nays 24, Excused 1, Absent 0

1 Yeas: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Goodwin,  
2 Halverson, Healy, Heermann, Heinemann, Hughes, Jamison, Jorgenson, Kassin, Kolbeck (Jack),  
3 Kull, Ladner, Manhart, Massie, Moore, Mortenson, Muckey, Mulder, Novstrup, Odenbach, Overweg,  
4 Peterson (Drew), Reder, Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk,  
5 Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

6 Nays: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Gosch, Greenfield, Hunt, Ismay,  
7 Jensen (Phil), Jordan, Kayser, Lems, May, Mulally, Nolz, Randolph, Rice, Schaeftbauer, Schwans,  
8 Sjaarda, Soye, and Speaker Hansen

9 Excused: Pourier

10 So the bill having received an affirmative vote of a majority of the members-elect, the Speaker  
11 declared the bill passed and the title was agreed to.

12 **SB 95**: FOR AN ACT ENTITLED, An Act to make an appropriation to the Department of Revenue  
13 for distribution to county rural access infrastructure funds and to declare an emergency.

14 Was read the second time.

15 Rep. Overweg moved that **SB 95** be amended as follows:

16 95E

17 On page 1, line 18, of the Joint Appropriations Engrossed bill, delete " \$100" and insert "  
18 \$5,000,000"

19 On page 1, line 19, of the Joint Appropriations Engrossed bill, after "in" delete " three equal  
20 amounts in"

21 On page 1, line 19, of the Joint Appropriations Engrossed bill, delete " years" and insert " year"

22 On page 1, line 19, of the Joint Appropriations Engrossed bill, after "2026," delete " 2027, and  
23 2028,"

24 On page 1, line 23, of the Joint Appropriations Engrossed bill, after "obligated" delete " by June  
25 30, 2030,"

26 The Speaker, being in doubt of the voice vote, called for a division of the House.

27 The question being on Rep. Overweg's motion that **SB 95** be amended.

28 The Speaker declared Rep. Overweg's motion prevailed.

29 The question being "Shall **SB 95** pass as amended?"

30 And the roll being called:

31 Yeas 42, Nays 27, Excused 1, Absent 0

32 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Emery, Garcia, Gosch, Greenfield, Healy,  
33 Heinemann, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Kull, Lems, Manhart,  
34 May, Muckey, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Randolph, Reder, Rice, Roe,  
35 Schaeftbauer, Schwans, Sjaarda, Soye, Uhre-Balk, Van Diepen, Walburg, Wittman, and  
36 Speaker Hansen

1 Nays: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Fitzgerald, Goodwin, Halverson,  
2 Heermann, Jamison, Kassin, Kolbeck (Jack), Ladner, Massie, Moore, Mortenson, Peterson (Drew),  
3 Rehfeldt, Reimer, Reisch, Roby, Shorma, Stevens, Vasgaard, Weems, and Weisgram

4 Excused: Pourier

5 So the bill not having received an affirmative vote of a two-thirds majority of the members-  
6 elect, the Speaker declared the bill lost.

7 **SB 70:** FOR AN ACT ENTITLED, An Act to modify the maximum sparsity benefit a sparse school  
8 district is eligible to receive.

9 Was read the second time.

10 The question being "Shall **SB 70** pass as amended?"

11 And the roll being called:

12 Yeas 69, Nays 0, Excused 1, Absent 0

13 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby,  
14 Duffy, Emery, Fitzgerald, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann,  
15 Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser,  
16 Kolbeck (Jack), Kull, Ladner, Lems, Manhart, Massie, May, Moore, Mortenson, Muckey, Mulally,  
17 Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Randolph, Reder, Rehfeldt, Reimer,  
18 Reisch, Rice, Roby, Roe, Schaeftbauer, Schwans, Shorma, Sjaarda, Soye, Stevens, Uhre-Balk,  
19 Van Diepen, Vasgaard, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

20 Excused: Pourier

21 So the bill having received an affirmative vote of a majority of the members-elect, the Speaker  
22 declared the bill passed and the title was agreed to.

23 **SB 144:** FOR AN ACT ENTITLED, An Act to require legislative approval for significant capital  
24 expenditures by the Department of Game, Fish and Parks.

25 Was read the second time.

26 The question being "Shall **SB 144** pass as amended?"

27 And the roll being called:

28 Yeas 53, Nays 16, Excused 1, Absent 0

29 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Derby, Emery, Fitzgerald, Garcia, Gosch,  
30 Greenfield, Halverson, Healy, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan,  
31 Jorgenson, Kayser, Kolbeck (Jack), Kull, Lems, Manhart, Massie, May, Moore, Mortenson, Muckey,  
32 Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Randolph, Reder, Reimer, Rice, Roe,  
33 Schaeftbauer, Schwans, Sjaarda, Soye, Stevens, Uhre-Balk, Vasgaard, Weems, Weisgram, Wittman,  
34 and Speaker Hansen

35 Nays: Arlint, Bathke, Czmowski, DeGroot, Duffy, Goodwin, Heermann, Kassin, Ladner,  
36 Peterson (Drew), Rehfeldt, Reisch, Roby, Shorma, Van Diepen, and Walburg

37 Excused: Pourier

1 So the bill having received an affirmative vote of a majority of the members-elect, the Speaker  
2 declared the bill passed and the title was agreed to.

3 **SB 191:** FOR AN ACT ENTITLED, An Act to limit annual valuation increases on owner-occupied  
4 single-family dwellings and provide an exception for mill rate limitations on taxing districts.

5 Was read the second time.

6 Rep. Kolbeck (Jack) moved that **SB 191** be amended as follows:

7 191H

8 On page 1, line 2, of the House State Affairs Engrossed bill, after "dwellings" delete " and  
9 provide an exception for mill rate limitations on taxing districts"

10 On page 2, line 32, of the House State Affairs Engrossed bill, after "valuation." delete "Section  
11 5. That a NEW SECTION be added to chapter 10-12:

12 "On page 3, line 1, of the House State Affairs Engrossed bill, after "10-12:" delete  
13 "Notwithstanding any other provision of law, if the limitation provided by § 10-13-35 constitutes a  
14 mill rate for a taxing district greater than a mill rate limitation provided by law for the district, the  
15 district may impose a tax levy resulting in a mill rate greater than the limits set forth in law, to the  
16 extent that the revenue payable from real property taxation in the district does not exceed the  
17 amount of revenue payable from real property taxation in the 2025 tax year, increased annually by:

18 (1) The lesser of three percent or the index factor, as defined in § 10-13-38; and

19 (2) The percentage of growth in value resulting from:

20 (a) Improvements or changes in use of the real property within the district;

21 (b) Annexation or minor boundary changes of the district; and

22 (c) Adjustment in taxation or classification of property within the district."

23 Which motion lost.

24 The question being "Shall **SB 191** pass as amended?"

25 And the roll being called:

26 Yeas 7, Nays 62, Excused 1, Absent 0

27 Yeas: Baxter, Goodwin, Kolbeck (Jack), Ladner, Odenbach, Schaeffbauer, and Soye

28 Nays: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Czmowski, DeGroot, Derby, Duffy,  
29 Emery, Fitzgerald, Garcia, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes,  
30 Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kull, Lems, Manhart,  
31 Massie, May, Moore, Mortenson, Muckey, Mulally, Mulder, Nolz, Novstrup, Overweg,  
32 Peterson (Drew), Randolph, Reder, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schwans, Shorma,  
33 Sjaarda, Stevens, Uhre-Balk, Van Diepen, Vasgaard, Walburg, Weems, Weisgram, Wittman, and  
34 Speaker Hansen

35 Excused: Pourier

36 So the bill not having received an affirmative vote of a two-thirds majority of the members-  
37 elect, the Speaker declared the bill lost.

1 **SB 216:** FOR AN ACT ENTITLED, An Act to reduce the growth in the assessed value of owner-  
2 occupied property, limit increases in certain property tax revenues, revise provisions regarding  
3 school district excess tax levies, and revise eligibility requirements for a property tax assessment  
4 freeze.

5 Was read the second time.

6 The question being "Shall **SB 216** pass as amended?"

7 And the roll being called:

8 Yeas 35, Nays 34, Excused 1, Absent 0

9 Yeas: Andera, Auch, Aylward, Bathke, Baxter, Czmowski, Derby, Duffy, Fitzgerald, Garcia,  
10 Goodwin, Greenfield, Heinemann, Hughes, Jensen (Phil), Jordan, Kassin, Kayser, Kolbeck (Jack),  
11 Ladner, Lems, Manhart, Massie, Mortenson, Mulally, Nolz, Odenbach, Randolph, Reisch, Rice, Roby,  
12 Schwans, Sjaarda, Walburg, and Speaker Hansen

13 Nays: Arlint, Bahmuller, DeGroot, Emery, Gosch, Halverson, Healy, Heermann, Hunt, Ismay,  
14 Jamison, Jorgenson, Kull, May, Moore, Muckey, Mulder, Novstrup, Overweg, Peterson (Drew),  
15 Reder, Rehfeldt, Reimer, Roe, Schaeftbauer, Shorma, Soye, Stevens, Uhre-Balk, Van Diepen,  
16 Vasgaard, Weems, Weisgram, and Wittman

17 Excused: Pourier

18 So the bill not having received an affirmative vote of a majority of the members-elect, the  
19 Speaker declared the bill lost.

20 Rep. Heinemann announced his intention to reconsider the vote by which **SB 216** lost.

21 **SB 127:** FOR AN ACT ENTITLED, An Act to authorize the expenditure of moneys and make an  
22 appropriation for grants supporting airport terminal improvements and expansion.

23 Was read the second time.

24 The question being "Shall **SB 127** pass as amended?"

25 And the roll being called:

26 Yeas 37, Nays 32, Excused 1, Absent 0

27 Yeas: Arlint, Bathke, Baxter, Czmowski, DeGroot, Derby, Duffy, Emery, Goodwin, Halverson,  
28 Healy, Heermann, Jamison, Jorgenson, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Moore, Muckey,  
29 Novstrup, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk,  
30 Van Diepen, Vasgaard, Walburg, Weems, Weisgram, and Wittman

31 Nays: Andera, Auch, Aylward, Bahmuller, Fitzgerald, Garcia, Gosch, Greenfield, Heinemann,  
32 Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Kayser, Lems, Manhart, May, Mortenson, Mulally,  
33 Mulder, Nolz, Odenbach, Overweg, Randolph, Reder, Rice, Schaeftbauer, Schwans, Sjaarda, Soye,  
34 and Speaker Hansen

35 Excused: Pourier

36 So the bill not having received an affirmative vote of a two-thirds majority of the members-  
37 elect, the Speaker declared the bill lost.



1 There being no objection, the House reverted to Order of Business No. 5 - Reports of Standing  
2 Committees.

3 **REPORTS OF STANDING COMMITTEES**

4 The Speaker made the following change in committee assignments: Rep. Jamison to the House  
5 Committee on Legislative Procedure to replace Rep. Venhuizen.

6 MR. SPEAKER:

7 The Committee on House Judiciary respectfully reports that it has had under consideration  
8 **SB 172** and returns the same without recommendation.

9 Respectfully submitted,  
10 Mike Stevens, Chair

11 **MESSAGES FROM THE SENATE**

12 MR. SPEAKER:

13 I have the honor to inform your honorable body that the Senate has failed to concur in House  
14 amendments to **SB 91** and has appointed Senators Hulse (Chair), Grove, and Reed as a committee  
15 of three on the part of the Senate to meet with a like committee on the part of the House to adjust  
16 the differences between the two houses.

17 Respectfully,  
18 Peggy Laurenz, Secretary

19 The Speaker appointed Representatives Bahmuller (Chair), Gosch, and Lems as a committee  
20 of three on the part of the House to meet with a like committee on the part of the Senate to adjust  
21 the differences between the two houses on **SB 91**.

22 **MOTIONS AND RESOLUTIONS**

23 Rep. Mulder moved that **SB 172** be placed on today's calendar pursuant to JR 6F-6.

24 The question being on Rep. Mulder's motion that **SB 172** be placed on today's calendar  
25 pursuant to JR 6F-6.

26 And the roll being called:

27 Yeas 36, Nays 33, Excused 1, Absent 0

28 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Gosch, Greenfield, Heinemann,  
29 Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Lems, Manhart,  
30 May, Mulally, Mulder, Nolz, Odenbach, Overweg, Randolph, Reder, Rice, Schaeftbauer, Schwans,  
31 Shorma, Sjaarda, Soye, Vasgaard, and Speaker Hansen

1 Nays: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Goodwin,  
2 Halverson, Healy, Heermann, Kolbeck (Jack), Kull, Ladner, Massie, Moore, Mortenson, Muckey,  
3 Novstrup, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Stevens, Uhre-Balk, Van Diepen,  
4 Walburg, Weems, Weisgram, and Wittman

5 Excused: Pourier

6 So the motion having received an affirmative vote of a majority of the members-elect, the  
7 Speaker declared the motion prevailed and **SB 172** was so placed.

8 Today, Rep. Heinemann announced his intention to reconsider the vote by which **SB 216** lost.

9 Rep. Heinemann moved that the House do now reconsider the vote by which **SB 216** lost.

10 The question being on Rep. Heinemann's motion to reconsider the vote by which **SB 216** lost.

11 And the roll being called:

12 Yeas 46, Nays 23, Excused 1, Absent 0

13 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Derby, Emery, Fitzgerald, Garcia, Goodwin,  
14 Gosch, Greenfield, Healy, Heinemann, Hughes, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson,  
15 Kassin, Kayser, Kolbeck (Jack), Ladner, Lems, Manhart, Massie, May, Mortenson, Muckey, Mulally,  
16 Nolz, Odenbach, Peterson (Drew), Randolph, Reder, Reisch, Rice, Schaeffbauer, Schwans, Sjaarda,  
17 Soye, Uhre-Balk, Vasgaard, Wittman, and Speaker Hansen

18 Nays: Arlint, Bathke, Czmowski, DeGroot, Duffy, Halverson, Heermann, Hunt, Kull, Moore,  
19 Mulder, Novstrup, Overweg, Rehfeldt, Reimer, Roby, Roe, Shorma, Stevens, Van Diepen, Walburg,  
20 Weems, and Weisgram

21 Excused: Pourier

22 So the motion having received an affirmative vote of a majority of the members-elect, the  
23 Speaker declared the motion carried and **SB 216** was up for reconsideration and final passage.

## 24 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

25 **SB 172:** FOR AN ACT ENTITLED, An Act to provide a rebuttable presumption in favor of joint  
26 physical custody of a minor child.

27 Was read the second time.

28 Rep. Odenbach moved the previous question.

29 Which motion prevailed.

30 The question being "Shall **SB 172** pass?"

31 And the roll being called:

32 Yeas 35, Nays 34, Excused 1, Absent 0

33 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Gosch, Greenfield, Heinemann,  
34 Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Lems, Manhart,  
35 May, Mulally, Mulder, Nolz, Odenbach, Overweg, Randolph, Reder, Rice, Schaeffbauer, Schwans,  
36 Sjaarda, Soye, Vasgaard, and Speaker Hansen

1 Nays: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Goodwin,  
2 Halverson, Healy, Heermann, Kolbeck (Jack), Kull, Ladner, Massie, Moore, Mortenson, Muckey,  
3 Novstrup, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk,  
4 Van Diepen, Walburg, Weems, Weisgram, and Wittman

5 Excused: Pourier

6 So the bill not having received an affirmative vote of a majority of the members-elect, the  
7 Speaker declared the bill lost.

8 Rep. Jordan announced his intention to reconsider the vote by which **SB 172** lost.

9 **SB 216:** FOR AN ACT ENTITLED, An Act to reduce the growth in the assessed value of owner-  
10 occupied property, limit increases in certain property tax revenues, revise provisions regarding  
11 school district excess tax levies, and revise eligibility requirements for a property tax assessment  
12 freeze.

13 Having had its second reading was up for reconsideration and final passage.

14 Rep. Heinemann moved that **SB 216** be amended as follows:

15 216J

16 On page 2, line 4, of the Senate Engrossed bill, after "by" delete " no more than the lesser of  
17 two percent or"

18 On page 2, line 9, of the Senate Engrossed bill, after "value." insert " For taxes payable in  
19 2027, 2028, 2029, 2030, and 2031, an increase in revenue payable to a taxing district allowed  
20 under this paragraph may not exceed three percent."

21 On page 3, line 13, of the Senate Engrossed bill, after "by" delete " no more than the lesser of  
22 two percent or "

23 On page 3, line 17, of the Senate Engrossed bill, after "value. " insert "For taxes payable in  
24 2027, 2028, 2029, 2030, and 2031, an increase in revenue payable to a school district allowed  
25 under this paragraph may not exceed three percent. "

26 Which motion lost.

27 Rep. Mortenson challenged the ruling of the Speaker and called for a division of the House.

28 Which motion prevailed.

29 The question being on Rep. Heinemann's motion that **SB 216** be amended.

30 The Speaker declared Rep. Heinemann's motion prevailed.

31 The question being "Shall **SB 216** pass as amended?"

32 And the roll being called:

33 Yeas 53, Nays 16, Excused 1, Absent 0

1 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Bathke, Baxter, Czmowski, DeGroot, Derby,  
 2 Duffy, Fitzgerald, Garcia, Goodwin, Greenfield, Halverson, Heermann, Heinemann, Hughes, Hunt,  
 3 Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Ladner, Lems,  
 4 Manhart, Massie, Mortenson, Mulally, Mulder, Nolz, Odenbach, Peterson (Drew), Randolph, Reimer,  
 5 Reisch, Rice, Roby, Schwans, Shorma, Sjaarda, Soye, Stevens, Van Diepen, Vasgaard, Walburg,  
 6 Weems, and Speaker Hansen

7 Nays: Emery, Gosch, Healy, Kull, May, Moore, Muckey, Novstrup, Overweg, Reder, Rehfeldt,  
 8 Roe, Schaeftbauer, Uhre-Balk, Weisgram, and Wittman

9 Excused: Pourier

10 So the bill having received an affirmative vote of a majority of the members-elect, the Speaker  
 11 declared the bill passed and the title was agreed to.

12 There being no objection, the House reverted to Order of Business No. 8 - Motions and  
 13 Resolutions.

#### 14 **MOTIONS AND RESOLUTIONS**

15 Today, Rep. Jordan announced his intention to reconsider the vote by which **SB 172** lost.

16 Rep. Jordan moved that the House do now reconsider the vote by which **SB 172** lost.

17 The question being on Rep. Jordan's motion to reconsider the vote by which **SB 172** lost.

18 And the roll being called:

19 Yeas 35, Nays 34, Excused 1, Absent 0

20 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Goodwin, Gosch, Greenfield,  
 21 Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems,  
 22 Manhart, May, Mulally, Mulder, Nolz, Odenbach, Overweg, Randolph, Reder, Rice, Schaeftbauer,  
 23 Schwans, Sjaarda, Soye, Vasgaard, and Speaker Hansen

24 Nays: Arlint, Bathke, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Halverson, Healy,  
 25 Heermann, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Moore, Mortenson, Muckey, Novstrup,  
 26 Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen,  
 27 Walburg, Weems, Weisgram, and Wittman

28 Excused: Pourier

29 So the motion not having received an affirmative vote of a majority of the members-elect, the  
 30 Speaker declared the motion lost.

#### 31 **SIGNING OF BILLS**

32 The Speaker publicly read the title to

33 **HB 1016:** FOR AN ACT ENTITLED, An Act to revise provisions related to pharmacy and to  
 34 increase fees.

35 **HB 1040:** FOR AN ACT ENTITLED, An Act to reduce the state's contribution to a subsidized  
 36 high school dual credit program.

1 **HB 1061:** FOR AN ACT ENTITLED, An Act to prohibit a health care provider from restricting or  
2 denying a parent or guardian's access to certain medical records and other health information of a  
3 minor.

4 **HB 1116:** FOR AN ACT ENTITLED, An Act to repeal a reporting requirement regarding  
5 industrial hemp.

6 **HB 1139:** FOR AN ACT ENTITLED, An Act to allow individualized investigative treatments for  
7 patients with life-threatening or debilitating diseases or conditions.

8 **HB 1174:** FOR AN ACT ENTITLED, An Act to revise certain provisions related to the rights and  
9 obligations of a father of a child born to an unmarried mother.

10 **HB 1225:** FOR AN ACT ENTITLED, An Act to update and repeal provisions related to the  
11 reporting of hospital charge information.

12 **HB 1232:** FOR AN ACT ENTITLED, An Act to modify requirements relating to the operation of  
13 salons and booths and to declare an emergency.

14 **SB 28:** FOR AN ACT ENTITLED, An Act to revise provisions relating to licensing fees and license  
15 renewal dates for the practice of barbering and to declare an emergency.

16 And signed the same in the presence of the House.

17 Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at  
18 5:53 p.m. the House adjourned.

19 Patricia Miller, Chief Clerk

