

JOURNAL OF THE HOUSE

ONE HUNDRED FIRST SESSION

TWELFTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, January 29, 2026

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

The prayer was offered by the Chaplain, Rev. Sam Handschke, followed by the Pledge of Allegiance led by House page Harlie Heidler.

Roll Call: All members present except Reps. Bathke, DeGroot, and Shorma who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the 11th 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

COMMUNICATIONS AND PETITIONS

2

January 29, 2026

3

Mr. Speaker and Members of the House of Representatives:

4

I have the honor to inform you that on January 29, 2026, I approved House Bill 1044, and the same has been deposited in the office of the Secretary of State.

5

6

Respectfully submitted,

7

Larry Rhoden

8

Governor

9

REPORTS OF STANDING COMMITTEES

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MR. SPEAKER:

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The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **HB 1033** and finds the same correctly enrolled.

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Respectfully submitted,

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Jon Hansen, Chair

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MR. SPEAKER:

16

The Committee on House Health and Human Services respectfully reports that it has had under consideration **HB 1006** and returns the same with the recommendation that said bill be amended as follows:

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18

19

1006A

20

On page 2, line 1, of the Introduced bill, delete " Health" and insert " Social Services"

21

On page 2, line 7, of the Introduced bill, after "2028." delete "Section 2. This Act is effective beginning January 1, 2027."

22

23

And that as so amended, **HB 1006** do pass.

24

Also MR. SPEAKER:

25

The Committee on House Health and Human Services respectfully reports that it has had under consideration **HB 1085** which was deferred to the 41st Legislative Day.

26

27

Also MR. SPEAKER:

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The Committee on House Health and Human Services respectfully reports that it has had under consideration **HB 1094** and returns the same with the recommendation that said bill do pass.

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30

Respectfully submitted,

31

Brian Mulder, Chair

1 MR. SPEAKER:

2 The Committee on House Local Government respectfully reports that it has had under
3 consideration **SB 22** and returns the same with the recommendation that said bill do pass, and
4 having been certified as uncontested, be placed on the consent calendar.

5 Respectfully submitted,
6 Greg Jamison, Chair

7 MR. SPEAKER:

8 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
9 under consideration **HB 1100** which was tabled.

10 Also MR. SPEAKER:

11 The Committee on House Agriculture and Natural Resources respectfully reports that it has had
12 under consideration **HB 1103, and SB 38** and returns the same with the recommendation that said
13 bills do pass.

14 Respectfully submitted,
15 Marty Overweg, Chair

16 MR. SPEAKER:

17 The Committee on House Transportation respectfully reports that it has had under
18 consideration **HB 1079** which was deferred to the 41st Legislative Day.

19 Respectfully submitted,
20 Tony Randolph, Chair

21 **MESSAGES FROM THE SENATE**

22 MR. SPEAKER:

23 I have the honor to transmit herewith **SB 81, 82, 93, and 101** which have passed the Senate
24 and your favorable consideration is respectfully requested.

25 Also MR. SPEAKER:

26 I have the honor to transmit herewith **SCR 605** which has been adopted by the Senate and
27 your concurrence is respectfully requested.

28 Also MR. SPEAKER:

29 I have the honor to return herewith **HB 1033 and 1044** which have passed the Senate without
30 change.

Also MR. SPEAKER:

I have the honor to inform your honorable body that **HCR 6004** was lost on second reading and final passage.

Respectfully,
Peggy Laurenz, Secretary

MOTIONS AND RESOLUTIONS

HCR 6008: A CONCURRENT RESOLUTION requesting the attorney general file a lawsuit against the People's Republic of China and related parties to seek damages related to the COVID-19 global pandemic.

Introduced by: **Representative** Schaeffbauer

HCR 6009: A CONCURRENT RESOLUTION urging Congress to repeal the estate tax.

Introduced by: **Representative** Jordan

HCR 6010: A CONCURRENT RESOLUTION urging the Supreme Court of the United States to overturn the decision in Obergefell v. Hodges.

Introduced by: **Representative** Randolph

HCR 6011: A CONCURRENT RESOLUTION encouraging the Executive Board of the Legislative Research Council to form an interim legislative committee to study and assess unregulated vapor products.

Introduced by: **Representative** Garcia

Were read the first time.

SCR 605: A CONCURRENT RESOLUTION recognizing the significance of the monarch butterfly and encouraging cooperative, voluntary conservation efforts in South Dakota.

Was read the first time.

SCR 602: A CONCURRENT RESOLUTION celebrating the sister-state relationship with Taiwan.

Was read the second time.

Rep. Ladner moved that **SCR 602** as found on page 147 of the House Journal be concurred in.

The question being on Rep. Ladner's motion that **SCR 602** be concurred in.

And the roll being called:

Yeas 66, Nays 0, Excused 4, Absent 0

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

Excused: Bathke, DeGroot, Goodwin, and Shorma

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and **SCR 602** was concurred in.

SCR 603: A CONCURRENT RESOLUTION supporting the secretary of the United States Department of Agriculture in establishing a working group of nutrition experts to determine national standards for foods and beverages purchased with supplemental nutrition assistance program benefits.

Was read the second time.

Rep. Derby moved that **SCR 603** as found on page 147 of the House Journal be concurred in.

The question being on Rep. Derby's motion that **SCR 603** be concurred in.

And the roll being called:

Yeas 60, Nays 6, Excused 4, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, Czmowski, Derby, Duffy, Fitzgerald, Fosness, Garcia, Goodwin, Greenfield, Halverson, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Manhart, Massie, May, Moore, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Randolph, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaeftbauer, Schwans, Shubeck, Sjaarda, Soye, Stevens, Van Diepen, Walburg, Weems, Weisgram, and Speaker Hansen

Nays: Emery, Healy, Mortenson, Muckey, Uhre-Balk, and Wittman

Excused: Bathke, DeGroot, Gosch, and Shorma

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and **SCR 603** was concurred in.

SCR 604: A CONCURRENT RESOLUTION urging the people of the state of South Dakota to seek the Lord Most High for His healing presence and mercy upon South Dakota.

Was read the second time.

Rep. Randolph moved that **SCR 604** as found on page 162 of the House Journal be concurred in.

Rep. Wittman rose to a point of order that Rep. Jensen's comment that only Democrats would vote against **SCR 604** was out of order. The Speaker declared that Rep. Jensen was out of order.

The question being on Rep. Randolph's motion that **SCR 604** be concurred in.

1 And the roll being called:

2 Yeas 42, Nays 23, Excused 5, Absent 0

3 Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Czmowski, Fosness, Garcia, Goodwin,
4 Greenfield, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan,
5 Jorgenson, Kayser, Ladner, Lems, Manhart, May, Mulally, Mulder, Nolz, Novstrup, Odenbach,
6 Overweg, Pourier, Randolph, Reimer, Rice, Roby, Schaeftbauer, Schwans, Shubeck, Sjaarda, Soye,
7 Weems, and Speaker Hansen

8 Nays: Arlint, Derby, Duffy, Emery, Halverson, Healy, Kasson, Kolbeck (Jack), Kull, Massie,
9 Moore, Mortenson, Muckey, Peterson (Drew), Rehfeldt, Reisch, Roe, Stevens, Uhre-Balk,
10 Van Diepen, Walburg, Weisgram, and Wittman

11 Excused: Bathke, DeGroot, Fitzgerald, Gosch, and Shorma

12 So the motion having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the motion carried and **SCR 604** was concurred in.

14 **CONSIDERATION OF REPORTS OF COMMITTEES**

15 Rep. Odenbach moved that the report of the Standing Committee on

16 Commerce and Energy on **HB 1038** as found on page 161 of the House Journal be adopted.

17 Which motion prevailed and the report was adopted.

18 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

19 The Speaker declared that **HB 1110** and **HB 1158** were withdrawn at the request of the prime
20 sponsors pursuant to JR 6B-1.1.

21 **HB 1195:** FOR AN ACT ENTITLED, An Act to provide free admission to state parks and
22 recreation areas for residents enrolled as members of Indian tribes.

23 Introduced by: **Representative** Emery

24 Was read the first time and referred to the Committee on Agriculture and Natural Resources.

25 **HB 1194:** FOR AN ACT ENTITLED, An Act to require that the Cosmetology Commission credit
26 work experience for educational hours for certain out-of-state licensure applicants.

27 Introduced by: **Representative** Schwans

28 **HB 1201:** FOR AN ACT ENTITLED, An Act to authorize the use of bingo games, lotteries, and
29 pull-tab devices by booster clubs.

30 Introduced by: **Representative** Roby

31 **HB 1208:** FOR AN ACT ENTITLED, An Act to revise licensure provisions for electricians.

32 Introduced by: **Representative** Garcia

HB 1224: FOR AN ACT ENTITLED, An Act to protect persons from discrimination by financial institutions.

Introduced by: **Representative** Lems

HB 1231: FOR AN ACT ENTITLED, An Act to clarify documentation requirements for assistance animals in rental dwelling units.

Introduced by: **Representative** Roby

HB 1238: FOR AN ACT ENTITLED, An Act to protect financial institutions taking action to prevent the financial exploitation of consenting, senior, or vulnerable adults.

Introduced by: **Representative** Heermann

Were read the first time and referred to the Committee on Commerce and Energy.

HB 1205: FOR AN ACT ENTITLED, An Act to amend the manner of calculating state aid to general and special education funding.

Introduced by: **Representative** Uhre-Balk

HB 1206: FOR AN ACT ENTITLED, An Act to clarify the use of public funds for the purpose of alternative instruction.

Introduced by: **Representative** Novstrup

HB 1213: FOR AN ACT ENTITLED, An Act to make an appropriation for a statewide educator retention initiative.

Introduced by: **Representative** Muckey

Were read the first time and referred to the Committee on Education.

HB 1182: FOR AN ACT ENTITLED, An Act to establish a data collection system pertaining to assisted reproductive technology.

Introduced by: **Representative** Jorgenson

HB 1199: FOR AN ACT ENTITLED, An Act to address preauthorization requirements for certain health care services and utilization review requirements for certain health benefit plans.

Introduced by: **Representative** Rehfeldt

HB 1210: FOR AN ACT ENTITLED, An Act to prohibit COVID-19 vaccination requirements and to provide a penalty therefor.

Introduced by: **Representative** Garcia

HB 1211: FOR AN ACT ENTITLED, An Act to create a digital registry identification card for medical cannabis patients.

Introduced by: **Representative** Garcia

HB 1220: FOR AN ACT ENTITLED, An Act to regulate the retail sale of nicotine products, and to provide a penalty therefor.

Introduced by: **Representative** Mulder

1 **HB 1223:** FOR AN ACT ENTITLED, An Act to revise the scope of practice for occupational
2 therapy.

3 Introduced by: **Representative** Heinemann

4 Were read the first time and referred to the Committee on Health and Human Services.

5 **HB 1183:** FOR AN ACT ENTITLED, An Act to revise qualifications for immunity from
6 prosecution following a drug-related overdose.

7 Introduced by: **Representative** Healy

8 **HB 1187:** FOR AN ACT ENTITLED, An Act to add coaches to the list of mandatory reporters of
9 child abuse or neglect.

10 Introduced by: **Representative** Fitzgerald

11 **HB 1192:** FOR AN ACT ENTITLED, An Act to allow the parole of certain inmates sentenced to
12 life imprisonment without parole.

13 Introduced by: **Representative** Baxter

14 **HB 1197:** FOR AN ACT ENTITLED, An Act to revise a provision related to the venue of adoption
15 proceedings.

16 Introduced by: **Representative** Hughes

17 **HB 1214:** FOR AN ACT ENTITLED, An Act to require that courts consider as a mitigating factor
18 during sentencing an individual's history as a victim of abuse and provide for a reduced sentence in
19 certain circumstances.

20 Introduced by: **Representative** Wittman

21 **HB 1219:** FOR AN ACT ENTITLED, An Act to require the provision of interpreter or translator
22 services for parties to an administrative contested case.

23 Introduced by: **Representative** Muckey

24 **HB 1234:** FOR AN ACT ENTITLED, An Act to revise procedural requirements for serving a
25 subpoena in a contested case.

26 Introduced by: **Representative** Roby

27 **HB 1236:** FOR AN ACT ENTITLED, An Act to establish civil liability for furnishing alcohol to an
28 obviously intoxicated person.

29 Introduced by: **Representative** Pourier

30 Were read the first time and referred to the Committee on Judiciary.

31 **HB 1226:** FOR AN ACT ENTITLED, An Act to authorize boards of county commissioners to
32 adopt policies for investigating allegations of misconduct of county departments, employees, and
33 officers.

34 Introduced by: **Representative** Gosch

35 Was read the first time and referred to the Committee on Local Government.

1 **HB 1228:** FOR AN ACT ENTITLED, An Act to provide a stipend to certain members of the
2 National Guard who donate an organ for the purpose of transplantation to another individual.

3 Introduced by: **Representative** Weems

4 Was read the first time and referred to the Committee on Military and Veterans Affairs.

5 **HB 1184:** FOR AN ACT ENTITLED, An Act to define man and woman throughout the state and
6 prohibit funding for anything to the contrary.

7 Introduced by: **Representative** Hansen

8 **HB 1185:** FOR AN ACT ENTITLED, An Act to require that a voter use a black ink ballpoint pen
9 when marking an optical scan ballot.

10 Introduced by: **Representative** Manhart

11 **HB 1190:** FOR AN ACT ENTITLED, An Act to establish the South Dakota-tribal consultation
12 commission.

13 Introduced by: **Representative** Emery

14 **HB 1196:** FOR AN ACT ENTITLED, An Act to provide for the participation of delegates from
15 this state in an Article V convention, and to provide a penalty therefor.

16 Introduced by: **Representative** Heinemann

17 **HB 1207:** FOR AN ACT ENTITLED, An Act to amend the period of time before which ballots
18 and other election materials may be destroyed following an election.

19 Introduced by: **Representative** Manhart

20 **HB 1209:** FOR AN ACT ENTITLED, An Act to require employment verification eligibility through
21 the e-verify program and to provide a penalty therefor.

22 Introduced by: **Representative** Garcia

23 **HB 1215:** FOR AN ACT ENTITLED, An Act to authorize counties and municipalities to issue a
24 license for a cigar bar.

25 Introduced by: **Representative** Mortenson

26 **HB 1221:** FOR AN ACT ENTITLED, An Act to establish a post-employment restriction for
27 employees of the Governor's Office of Economic Development and create a penalty therefor.

28 Introduced by: **Representative** Lems

29 **HB 1222:** FOR AN ACT ENTITLED, An Act to prohibit members of the Board of Economic
30 Development from having any interest in moneys from or approved by the Board of Economic
31 Development.

32 Introduced by: **Representative** Lems

33 **HB 1225:** FOR AN ACT ENTITLED, An Act to enhance the future of education in South Dakota.

34 Introduced by: **Representative** Healy

HB 1229: FOR AN ACT ENTITLED, An Act to require the inclusion of certain features within a manufacturer's application store or on a developer's application.

Introduced by: **Representative** Weems

HB 1230: FOR AN ACT ENTITLED, An Act to modify requirements for payment of the employer's investment in South Dakota's future fee.

Introduced by: **Representative** Lems

HB 1235: FOR AN ACT ENTITLED, An Act to increase communication between agencies of this state and tribal governments.

Introduced by: **Representative** Pourier

HB 1237: FOR AN ACT ENTITLED, An Act to require age verification before an individual may access an application from an online application store, publicly available website, electronic service, or other online platform.

Introduced by: **Representative** Weems

Were read the first time and referred to the Committee on State Affairs.

HB 1186: FOR AN ACT ENTITLED, An Act to require the approval of the county for the creation of a tax increment financing district by a municipality.

Introduced by: **Representative** Jorgenson

HB 1191: FOR AN ACT ENTITLED, An Act to provide a sales tax holiday on firearms.

Introduced by: **Representative** Emery

HB 1193: FOR AN ACT ENTITLED, An Act to require that a county provide a refund of taxes to disabled veterans and surviving spouses under certain property tax relief programs.

Introduced by: **Representative** Randolph

HB 1218: FOR AN ACT ENTITLED, An Act to create a new class of nonagricultural property for purposes of taxation, and to provide a penalty therefor.

Introduced by: **Representative** Hughes

HB 1233: FOR AN ACT ENTITLED, An Act to modify provisions for a tax collection agreement with an Indian tribe.

Introduced by: **Representative** Pourier

Were read the first time and referred to the Committee on Taxation.

HB 1188: FOR AN ACT ENTITLED, An Act to clarify the duties and limit the liability of law enforcement officers and others when removing a disabled vehicle from a highway, a right of way, or public waters.

Introduced by: **Representative** Roe

HB 1189: FOR AN ACT ENTITLED, An Act to establish a greater tire weight limit for a mobile crane moving on any highway in this state.

Introduced by: **Representative** Roe

HB 1203: FOR AN ACT ENTITLED, An Act to exempt a volunteer firefighter from certain motor vehicle registration fees.

Introduced by: **Representative** Hansen

HB 1227: FOR AN ACT ENTITLED, An Act to increase the annual fee required of an owner of an electric motor vehicle.

Introduced by: **Representative** Weems

Were read the first time and referred to the Committee on Transportation.

HB 1200: FOR AN ACT ENTITLED, An Act to make an appropriation for victim services provided by nonprofit organizations.

Introduced by: **Representative** Rehfeldt

HB 1202: FOR AN ACT ENTITLED, An Act to authorize the construction of a trades center on the campus of Lake Area Technical College, to make an appropriation therefor, and to declare an emergency.

Introduced by: **Representative** Roby

Were read the first time and referred to the Joint Committee on Appropriations.

HB 1198: FOR AN ACT ENTITLED, An Act to require that certain facilities obtain conditional use permits from adjacent political subdivisions.

Introduced by: **Representative** Sjaarda

HB 1204: FOR AN ACT ENTITLED, An Act to create the South Dakota school construction fund, provide for the transfer of moneys to the fund, and make an appropriation therefor.

Introduced by: **Representative** Uhre-Balk

HB 1212: FOR AN ACT ENTITLED, An Act to revise provisions in order to strengthen protections for unborn children.

Introduced by: **Representative** Randolph

HB 1216: FOR AN ACT ENTITLED, An Act to revise the list of mandatory reporters of suspected child abuse or neglect.

Introduced by: **Representative** Healy

HB 1217: FOR AN ACT ENTITLED, An Act to limit the use of taxpayer funds and resources by a public education employer to support a labor organization or affiliate and to provide a penalty therefor.

Introduced by: **Representative** Hughes

HB 1232: FOR AN ACT ENTITLED, An Act to establish principles for a state agency to consider when formulating or implementing a policy or rule that has direct tribal implications.

Introduced by: **Representative** Pourier

Were read the first time.

The following bills were read on January 28, 2026, and today the Speaker assigned these bills to committee:

HB 1168 was referred to the Committee on Education.

HB 1172 was referred to the Committee on Taxation.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 81: FOR AN ACT ENTITLED, An Act to clarify the prohibition on injuring or harassing a service animal.

SB 82: FOR AN ACT ENTITLED, An Act to prohibit the misrepresentation of an animal as a service animal and to provide a penalty therefor.

SB 93: FOR AN ACT ENTITLED, An Act to prohibit certain state officers or employees from being employed by an organization that was the recipient of a contract awarded on behalf of a state agency for a period of time.

SB 101: FOR AN ACT ENTITLED, An Act to amend provisions pertaining to the duties of presidential electors.

Were read the first time.

The following bill was read on January 27, 2026, and today the Speaker assigned this bill to committee:

SB 85 was referred to the Committee on Education.

SECOND READING AND CONSIDERATION OF CONSENT CALENDAR ITEMS

Rep. Hunt requested that **HB 1107** be removed from the Consent Calendar.

Rep. Garcia requested that **SB 8** be removed from the Consent Calendar.

Rep. Jordan requested that **HB 1019** be removed from the Consent Calendar.

HB 1126: FOR AN ACT ENTITLED, An Act to revise a provision related to driving under the influence.

SB 56: FOR AN ACT ENTITLED, An Act to require that agencies promulgating permanent rules publish the rules and associated rulemaking forms on a state website.

SB 84: FOR AN ACT ENTITLED, An Act to increase thresholds for the value of and eligibility for the partners in education scholarship.

Were read the second time.

The question being "Shall **SB 84** pass as amended, and **HB 1126 and SB 56** pass?"

And the roll being called:

Yeas 65, Nays 0, Excused 5, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, Czmowski, Derby, Duffy, Emery, Fosness, Garcia, Goodwin, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull, Ladner, Lems, Manhart, Massie, May, Moore, Mortenson, Muckey, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Randolph, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaeffbauer, Schwans, Shubeck, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

Excused: Bathke, DeGroot, Fitzgerald, Gosch, and Shorma

So the bills having received an affirmative vote of a majority of the members-elect, the Speaker declared the bills passed, and the titles were agreed to.

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1064: FOR AN ACT ENTITLED, An Act to provide for the sale of producer-raised meat and meat food products directly to consumers pending legalization under federal law.

Was read the second time.

The question being "Shall **HB 1064** pass as amended?"

And the roll being called:

Yeas 48, Nays 18, Excused 4, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, Derby, Garcia, Goodwin, Gosch, Greenfield, Halverson, Heinemann, Hughes, Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Ladner, Lems, Manhart, May, Mortenson, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Pourier, Randolph, Rehfeldt, Reimer, Rice, Schaeffbauer, Schwans, Shubeck, Sjaarda, Soye, Stevens, Walburg, Weems, Weisgram, and Speaker Hansen

Nays: Czmowski, Duffy, Emery, Fosness, Healy, Heermann, Kolbeck (Jack), Kull, Massie, Moore, Muckey, Peterson (Drew), Reisch, Roby, Roe, Uhre-Balk, Van Diepen, and Wittman

Excused: Bathke, DeGroot, Fitzgerald, and Shorma

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

HJR 5002: A JOINT RESOLUTION proposing and submitting to the voters at the next general election an amendment to the Constitution of the State of South Dakota, repealing the requirement to provide expanded medicaid.

Was read the second time.

The question being "Shall **HJR 5002** pass?"

And the roll being called:

Yeas 27, Nays 39, Excused 4, Absent 0

Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Garcia, Gosch, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Kayser, Lems, Manhart, Mulally, Nolz, Odenbach, Overweg, Randolph, Rice, Schaeffbauer, Schwans, Shubeck, Sjaarda, Soye, and Speaker Hansen

1 Nays: Arlint, Czmowski, Derby, Duffy, Emery, Fosness, Goodwin, Greenfield, Halverson, Healy,
2 Heermann, Heinemann, Jamison, Jorgenson, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, May,
3 Moore, Mortenson, Muckey, Mulder, Novstrup, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch,
4 Roby, Roe, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, and Wittman

5 Excused: Bathke, DeGroot, Fitzgerald, and Shorma

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

8 **HB 1130:** FOR AN ACT ENTITLED, An Act to amend permissible uses of a school district's
9 capital outlay fund.

10 Was read the second time.

11 The question being "Shall **HB 1130** pass?"

12 And the roll being called:

13 Yeas 41, Nays 25, Excused 4, Absent 0

14 Yeas: Arlint, Auch, Bahmuller, Czmowski, Derby, Duffy, Emery, Fosness, Gosch, Greenfield,
15 Halverson, Healy, Heermann, Jamison, Jorgenson, Kassin, Kolbeck (Jack), Kull, Ladner, Massie,
16 Moore, Mortenson, Muckey, Mulder, Novstrup, Overweg, Peterson (Drew), Pourier, Rehfeldt,
17 Reimer, Reisch, Roby, Roe, Shubeck, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram,
18 and Wittman

19 Nays: Andera, Aylward, Baxter, Garcia, Goodwin, Heinemann, Hughes, Hunt, Ismay,
20 Jensen (Phil), Jordan, Kayser, Lems, Manhart, May, Mulally, Nolz, Odenbach, Randolph, Rice,
21 Schaeftbauer, Schwans, Sjaarda, Soye, and Speaker Hansen

22 Excused: Bathke, DeGroot, Fitzgerald, and Shorma

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

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

26 **SB 2:** FOR AN ACT ENTITLED, An Act to provide that a firearm silencer is not a controlled
27 weapon.

28 Was read the second time.

29 The question being "Shall **SB 2** pass as amended?"

30 And the roll being called:

31 Yeas 66, Nays 0, Excused 4, Absent 0

32 Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, Czmowski, Derby, Duffy, Emery,
33 Fosness, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes,
34 Hunt, Ismay, Jamison, Jensen (Phil), Jordan, Jorgenson, Kassin, Kayser, Kolbeck (Jack), Kull,
35 Ladner, Lems, Manhart, Massie, May, Moore, Mortenson, Muckey, Mulally, Mulder, Nolz, Novstrup,
36 Odenbach, Overweg, Peterson (Drew), Pourier, Randolph, Rehfeldt, Reimer, Reisch, Rice, Roby,
37 Roe, Schaeftbauer, Schwans, Shubeck, Sjaarda, Soye, Stevens, Uhre-Balk, Van Diepen, Walburg,
38 Weems, Weisgram, Wittman, and Speaker Hansen

Excused: Bathke, DeGroot, Fitzgerald, and Shorma

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

SB 64: FOR AN ACT ENTITLED, An Act to revise and repeal provisions related to the athletic commission.

Was read the second time.

The question being "Shall **SB 64** pass?"

And the roll being called:

Yeas 51, Nays 15, Excused 4, Absent 0

Yeas: Andera, Arlint, Auch, Bahmuller, Czmowski, Derby, Duffy, Emery, Fosness, Goodwin, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Jamison, Jorgenson, Kassin, Kolbeck (Jack), Kull, Ladner, Lems, Massie, May, Moore, Mortenson, Muckey, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Roby, Roe, Schwans, Shubeck, Soye, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

Nays: Aylward, Baxter, Garcia, Gosch, Hunt, Ismay, Jensen (Phil), Jordan, Kayser, Manhart, Mulally, Randolph, Rice, Schaefbauer, and Sjaarda

Excused: Bathke, DeGroot, Fitzgerald, and Shorma

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

SIGNING OF BILLS

The Speaker publicly read the title to

HB 1033: FOR AN ACT ENTITLED, An Act to update the reference to the Internal Revenue Code to reflect current federal law for the administration of higher education savings plans.

SB 5: FOR AN ACT ENTITLED, An Act to require the disclosure of whether a ballot question was proposed by initiative or by the Legislature.

SB 57: FOR AN ACT ENTITLED, An Act to clarify when agency financial resource information must be filed in the permanent administrative rulemaking process.

And signed the same in the presence of the House.

COMMEMORATIONS

HC 8004: A LEGISLATIVE COMMEMORATION celebrating the St. Mary's Cardinals as the 2025 Class 9B state football champions.

Introduced by: **Representative** Hansen

3 Patricia Miller, Chief Clerk