

Minutes: House State Affairs

Wednesday, February 25, 2026 3:00 PM

Roll Call

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

The meeting was called to order by Representative Odenbach

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 25TH

Moved by: Gosch
Second by: Healy
Action: Prevailed by voice vote

SB 176 : amend the period of time before which ballots and other election materials may be destroyed following an election.

Presented by: Senator Amber Hulse
Proponents: Representative Logan Manhart
Leah Anderson, Minnehaha County Auditor

MOTION: DO PASS SB 176

Moved by: Gosch
Second by: Hansen
Action: Prevailed by Majority Members Elect (11-1-1-0)

Voting Yes: Bahmuller, Emery, Gosch, Hansen, Healy, Heinemann, Jamison, Lems, May, Schaeffbauer, and Odenbach

Voting No: Overweg

Excused: Reisch

SB 177 : clarify the requirements for marking an optical scan ballot.

Presented by: Senator Greg Blanc
Proponents: Representative Logan Manhart
Leah Anderson, Minnehaha County Auditor
Lindley Howard, McPherson County - Auditor
Rick Weible, Self

MOTION: DO PASS SB 177

Moved by: Gosch
Second by: Schaeffbauer
Action: Prevailed by Majority Members Elect (11-1-1-0)

Voting Yes: Bahmuller, Emery, Gosch, Hansen, Healy, Heinemann, Jamison, Lems, May, Schaeffbauer, and Odenbach

Voting No: Overweg

Excused: Reisch

SB 214 : amend provisions pertaining to the publication of the statewide voter registration file.

Presented by: Senator Sue Peterson
Proponents: Representative Heather Baxter
Leah Anderson, Minnehaha County Auditor
Rick Weible, Self

MOTION: AMEND SB 214

214A

On page 1, line 21, of the Introduced bill, delete " updates" and insert " post of the statewide voter registration file,"

On page 1, line 23, of the Introduced bill, after "publish" insert " and maintain"

On page 1, line 23, of the Introduced bill, delete " to" and insert " on"

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

MOTION: DO PASS SB 214 AS AMENDED

Moved by: Hansen
Second by: Heinemann
Action: Prevailed by Majority Members Elect (11-1-1-0)

Voting Yes: Bahmuller, Emery, Gosch, Hansen, Healy, Heinemann, Jamison, Lems, May, Schaeffbauer, and Odenbach

Voting No: Overweg

Excused: Reisch

SJR 501 : proposing and submitting to the voters at the next general election an amendment to the Constitution of the State of South Dakota, limiting the number of terms an individual may serve as a member of the Legislature.

Presented by: Senator Michael Rohl
Proponents: Representative Jack Kolbeck
Angie Cleberg, Self
Opponents: Representative Al Novstrup
William M. Van Camp, South Dakota Retailers Association
Senator Sue Peterson

MOTION: DO PASS SJR 501

Moved by: Emery

Second by: Healy
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER SJR 501 TO THE 41ST LEGISLATIVE DAY

Moved by: Heinemann
Second by: Schaeffbauer
Action: Prevailed by Majority Members Elect (9-3-1-0)

Voting Yes: Gosch, Hansen, Heinemann, Jamison, Lems, May, Schaeffbauer, Overweg, and Odenbach

Voting No: Bahmuller, Emery, and Healy

Excused: Reisch

SJR 502 : applying to the United States Congress under Article V of the United States Constitution to call for a convention proposing an amendment to the constitution fixing the number of justices of the United States Supreme Court at one chief justice and eight associate justices.

Presented by: Senator Michael Rohl
Proponents: Representative Greg Jamison
Opponents: Linda Schauer, Concerned Women for America (Handout(s) #1)
Michael Boyle, Self
Eldon Stahl, Self

MOTION: DEFER SJR 502 TO THE 41ST LEGISLATIVE DAY

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

MOTION: SUBSTITUTE MOTION: DO PASS SJR 502

Moved by: Heinemann
Second by: Jamison
Action: Failed by Majority Members Elect (4-8-1-0)

Voting Yes: Emery, Heinemann, Jamison, and May

Voting No: Bahmuller, Gosch, Hansen, Healy, Lems, Schaeffbauer, Overweg, and Odenbach

Excused: Reisch

Revert to previous motion

MOTION: DEFER SJR 502 TO THE 41ST LEGISLATIVE DAY

Moved by: Overweg
Second by: Gosch

Action: Prevailed by Majority Members Elect (12-0-1-0)

Voting Yes: Bahmuller, Emery, Gosch, Hansen, Healy, Heinemann, Jamison, Lems, May, Schaeffbauer, Overweg, and Odenbach

Excused: Reisch

SJR 504 : proposing and submitting to the voters at the next general election an amendment to the Constitution of the State of South Dakota, providing for wagering on sporting events via mobile or electronic platform.

Presented by: Representative Greg Jamison

Proponents: Senator Steve Kolbeck
Caleb Arceneaux, Deadwood Gaming Association
John A. Pappas, GeoComply
Carmen Schramm, Tourism Coalition of South Dakota
Brendan D. Bussmann, Self

Opponents: Michael G. Pauley, South Dakota Catholic Conference
Frank Star Comes Out, Oglala Sioux Tribe
Chet Ellsworth, Self (Handout(s) #2, 3)
Chairman Ryman LeBeau, Cheyenne River Sioux Tribe
Norman Woods, South Dakota Family Voice Action
Representative John Sjaarda
Linda Schauer, Concerned Women for America
Representative Peri Pourier
Jennifer P. Hughes, Oglala Sioux Tribe
Alli Moran, Cheyenne River Sioux Tribe
Brendan L Ludwick, Oglala Sioux Tribe
Matt Walz, Keystone Treatment Center

Others: Roger Tellinghuisen, Deadwood Gaming Association

MOTION: AMEND SJR 504

SJR504B

On page 1, line 3, of the Introduced resolution, after "via" insert " a"

On page 1, line 3, of the Introduced resolution, after "platform" insert " in Deadwood and on Indian lands, and requiring a model online sports wagering agreement"

On page 2, line 10, of the Introduced resolution, delete "It is lawful for the Legislature to authorize by law wagering " and insert "Wagering "

On page 2, line 10, of the Introduced resolution, delete " individuals" and insert " an individual"

On page 2, line 12, of the Introduced resolution, after "platform," insert " is lawful,"

On page 2, line 13, of the Introduced resolution, delete " and" and insert a comma

On page 2, line 14, of the Introduced resolution, after "Deadwood" insert ", and the individual is not located on Indian lands as defined by the Indian Gaming Regulatory Act, 25 U. S. C. § 2703(4) (January 1, 2026)"

On page 2, line 14, of the Introduced resolution, after "on" insert " the non-tribal casino or its non-tribal partners for"

On page 2, line 16, of the Introduced resolution, delete "

The" and insert ", and the"

On page 2, line 20, of the Introduced resolution, after "Deadwood." insert "

Wagering on sporting events is lawful by individuals located within and outside of Indian lands, by means of a mobile or electronic platform, provided the mobile or electronic platform is offered by or in partnership with a federally recognized Indian tribe with Indian lands located within the exterior boundaries of the State of South Dakota, and the platform has its servers located within the tribe's Indian lands.

All sports wagering offered by or in partnership with an Indian tribe is deemed to be exclusively conducted by the tribe on the Indian lands on which the servers and devices used to conduct the wagering and receive the wagers are located.

Any federally recognized Indian tribe with Indian lands within the exterior boundaries of the State of South Dakota may, by means of a mobile or electronic platform, offer wagering on sporting events by individuals physically located within the State of South Dakota or on Indian lands upon acceptance of a model online sports wagering agreement by the tribe and approval by the Secretary of the Interior pursuant to 25 U. S. C. § 2710(d) (January 1, 2026).

The model online sports wagering agreement may contain only the following elements:

- (1) The tribe may, by means of a mobile or electronic platform, offer wagering on sporting events by individuals physically located within the State of South Dakota or on Indian lands;
- (2) The wagering on sporting events by means of a mobile or electronic platform must be offered in compliance with rules adopted by the tribe, which include consumer protection provisions;
- (3) The wagering on sporting events by means of a mobile or electronic platform must be regulated pursuant to an ordinance approved by the Chairman of the National Indian Gaming Commission pursuant to 25 U. S. C. § 2710 (January 1, 2026);
- (4) The conduct of the wagering on sporting events by means of a mobile or electronic platform must comply with all applicable provisions of 25 U. S. C. §§ 2701 to 2721, inclusive (January 1, 2026), and the implementing regulations; and
- (5) Wagering on sporting events by means of a mobile or electronic platform by individuals physically located within the State of South Dakota or on Indian lands is deemed to be exclusively conducted by the Indian tribe on its Indian lands on which the servers and devices used to conduct the wagering and receive the wagers are located."

Moved by: Emery
 Second by: Gosch
 Action: Failed by voice vote

MOTION: DO PASS SJR 504

Moved by: Reisch
 Second by: Bahmuller
 Action: Failed by Majority Members Elect (6-7-0-0)

Voting Yes: Bahmuller, Emery, Healy, Jamison, Reisch, and Schaeffbauer

Voting No: Gosch, Hansen, Heinemann, Lems, May, Overweg, and Odenbach

MOTION: DEFER SJR 504 TO THE 41ST LEGISLATIVE DAY

Moved by: Gosch
 Second by: Overweg
 Action: Prevailed by Majority Members Elect (11-2-0-0)

Voting Yes: Bahmuller, Emery, Gosch, Hansen, Heinemann, Lems, May, Reisch,
Schaefbauer, Overweg, and Odenbach

Voting No: Healy and Jamison

MOTION: ADJOURN

Moved by: Overweg

Second by: Hansen

Action: Prevailed by voice vote

Pam Kean, Committee Secretary

/s/ SCOTT ODENBACH
Scott Odenbach, Chair