JOURNAL OF THE HOUSE

ONE HUNDRED FIRST SESSION

THIRTY-FIRST DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, March 03, 2026

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Fr. Joe Holzhauser, followed by the Pledge of Allegiance led by House page Isla Rohde.

Roll Call: All members present except Reps. Bathke, Czmowski, and Soye 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 30th 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.

12 copies were printed by the South Dakota Legislative Research Council at an estimated cost of $.20 per page.

COMMUNICATIONS AND PETITIONS

March 3, 2026

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on March 3, 2026, I approved House Bills 1012, 1013, 1014, and 1022, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Larry Rhoden
Governor

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that **HB 1001, 1007, 1041, 1056, 1096, 1101, 1104, 1119, 1130, 1143, 1146, 1197, 1219, 1233, and 1260** were delivered to his Excellency, the Governor, for his approval at 9:12 a.m., March 3, 2026.

Also MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **HB 1027, 1049, 1092, 1099, 1107, 1126, 1164, 1188, 1193, 1234, and 1264** and finds the same correctly enrolled.

Respectfully submitted,
Jon Hansen, Chair

MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **SB 151 and 175, and SJR 508** and returns the same with the recommendation that said bills and resolution do pass.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **SB 159** and returns the same with the recommendation that said bill be amended as follows:

159E

On page 2, line 1, of the Senate Engrossed bill, delete " filed in" and insert " submitted to"

On page 2, line 5, of the Senate Engrossed bill, delete " filed in" and insert " submitted to"

And that as so amended, **SB 159** do pass.

Also MR. SPEAKER:

The Committee on House State Affairs respectfully reports that it has had under consideration **SB 171** and returns the same with the recommendation that said bill be amended as follows:

171A

On page 1, line 6, of the Introduced bill, remove the overstrikes from " or their designee"

On page 2, line 27, of the Introduced bill, after "counting." delete " If ten or fewer voters in a precinct vote by absentee ballot, the person in charge of the election must forward the absentee ballots to the precinct for counting."

On page 3, line 28, of the Introduced bill, after "§ 12-19-10." insert " If the person in charge of the election convenes the absentee counting board on the day before the election, the board may only process the absentee ballots, as provided in § 12-19-10, and may not manually count any ballots or use the automatic tabulating equipment to count the ballots."

And that as so amended, **SB 171** do pass.

Respectfully submitted,
Scott Odenbach, Chair

MR. SPEAKER:

The Committee on House Taxation respectfully reports that it has had under consideration **SB 208** which was tabled.

Also MR. SPEAKER:

The Committee on House Taxation respectfully reports that it has had under consideration **SB 228** and returns the same with the recommendation that said bill do pass.

Respectfully submitted,
Aaron Aylward, Chair

MR. SPEAKER:

The Committee on House Agriculture and Natural Resources respectfully reports that it has had under consideration **SB 39** and returns the same with the recommendation that said bill be amended as follows:

39B

On page 1, line 19, of the Introduced bill, after "product;

(4)" delete " "Greenhouse," any indoor structure or enclosed building capable of continuous cultivation throughout the year, no less than two thousand eight hundred and eighty square feet, which is not part of a residential dwelling. Greenhouses may contain multiple lots that are separated and identified;"

On page 1, line 23, of the Introduced bill, after "identified;" delete "(5)"

On page 2, line 6, of the Introduced bill, delete "(3)" and insert "(2)"

On page 2, line 19, of the Introduced bill, after "percent;" delete "

(4) "Licensed hemp producer," a person licensed by the United States Department of Agriculture or a tribal program to produce hemp, as provided in 7 C. F. R. §§ 990. 20 to 990. 32, inclusive (January 1, 2026), and any authorized employee or agent of the person;"

On page 2, line 24, of the Introduced bill, after "person;

(9)" delete "(5) "Lot," a contiguous area in a field or greenhouse containing the same variety or strain of hemp throughout the area. In addition, "lot" means the terms, "farm," "tract," "field," and "subfield" used by the United States Department of Agriculture Farm Service Agency to mean "lot";"

On page 2, line 30, of the Introduced bill, after "measurement;" insert "

(3) "Licensed hemp producer," a person licensed by the United States Department of Agriculture or a tribal program to produce hemp, as provided in 7 C. F. R. §§ 990. 20 to 990. 32, inclusive (January 1, 2026), and any authorized employee or agent of the person;"

On page 2, line 31, of the Introduced bill, delete "(6)" and insert "(4)"

On page 2, line 34, of the Introduced bill, delete "(7)" and insert "(5)"

On page 3, line 1, of the Introduced bill, delete "(8)" and insert "(6)"

On page 3, line 3, of the Introduced bill, delete "(9)" and insert "(7)"

On page 3, line 12, of the Introduced bill, delete "(10)" and insert "(8)"

On page 3, line 18, of the Introduced bill, delete "(11)" and insert "(9)"

On page 3, line 22, of the Introduced bill, delete " producer licensee" and insert " licensed hemp producer"

On page 3, line 28, of the Introduced bill, after "§§ 1639o" delete the period

On page 3, line 29, of the Introduced bill, after "1639s" delete the period

On page 3, line 30, of the Introduced bill, delete " licensee" and insert " licensed hemp producer"

On page 4, line 6, of the Introduced bill, after "grower" delete " producer licensee"

On page 4, line 8, of the Introduced bill, after "application " insert "licensed hemp producer "

On page 4, line 9, of the Introduced bill, delete " producer" and insert " producer's"

And that as so amended, **SB 39** do pass.

Also MR. SPEAKER:

The Committee on House Agriculture and Natural Resources respectfully reports that it has had under consideration **SB 40 and 124** and returns the same with the recommendation that said bills do pass.

Respectfully submitted,
Marty Overweg, Chair

REPORTS OF CONFERENCE COMMITTEES

Also MR. SPEAKER:

The SB 3 A Conference Committee on **SB 3** respectfully reports that it has considered the disagreement of the two houses, and returns the same with the recommendation that said bill be amended as follows:

3E

On page 1, line 8, of the House Local Government Engrossed bill, delete " an" and insert " a detached single-family"

On page 1, line 12, of the House Local Government Engrossed bill, after "2) Downspout;

(3)" insert "Fascia,

(4) "

On page 1, line 13, of the House Local Government Engrossed bill, delete "(4)" and insert "(5)"

On page 1, line 14, of the House Local Government Engrossed bill, delete "(5)" and insert "(6)"

On page 1, line 14, of the House Local Government Engrossed bill, after "nonstructural;" insert "

(7) Soffit;"

On page 1, line 15, of the House Local Government Engrossed bill, delete "(6)" and insert "(8)".

Respectfully submitted,
Michael H. Rohl, Chair

Respectfully submitted,
Marty Overweg, Chair

MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to return herewith **HB 1102 and 1194** which have been amended by the Senate and your concurrence in the amendments is respectfully requested.

Also MR. SPEAKER:

I have the honor to return herewith **HB 1027, 1049, 1092, 1099, 1107, 1126, 1164, 1193, 1234, and 1264** which have passed the Senate without change.

Also MR. SPEAKER:

I have the honor to inform your honorable body that **HJR 5001** was lost on second reading and final passage.

Also MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has concurred in House amendments to **SB 111**.

Also MR. SPEAKER:

I have the honor to transmit herewith **SB 37, 69, 79, 136, and 220** which have passed the Senate and your favorable consideration is respectfully requested.

Respectfully,
Peggy Laurenz, Secretary

MOTIONS AND RESOLUTIONS

Rep. Jordan moved that the House do concur in Senate amendments to **HB 1265**.

The question being on Rep. Jordan's motion that the House do concur in Senate amendments to **HB 1265**.

And the roll being called:

Yeas 65, Nays 1, Excused 4, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Baxter, DeGroot, Derby, Duffy, Emery, Fitzgerald, Fosness, Goodwin, 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, Schaefbauer, Schwans, Shorma, Shubeck, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

Nays: Bahmuller

Excused: Bathke, Czmowski, Garcia, and Soye

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and the amendments were concurred in.

Yesterday, Rep. Jorgenson announced her intention to reconsider the vote by which **SB 190** lost.

Rep. Jorgenson moved that the House do now reconsider the vote by which **SB 190** lost.

The question being on Rep. Jorgenson's motion to reconsider the vote by which **SB 190** lost.

And the roll being called:

Yeas 30, Nays 36, Excused 4, Absent 0

Yeas: Auch, Aylward, Bahmuller, Baxter, Gosch, Greenfield, Heinemann, Hughes, Hunt, Ismay, Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, May, Mulally, Nolz, Novstrup, Odenbach, Overweg, Pourier, Randolph, Rice, Schaefbauer, Schwans, Shubeck, Sjaarda, and Speaker Hansen

Nays: Andera, Arlint, DeGroot, Derby, Duffy, Emery, Fitzgerald, Fosness, Goodwin, Halverson, Healy, Heermann, Jamison, Kassin, Kolbeck (Jack), Kull, Ladner, Massie, Moore, Mortenson, Muckey, Mulder, Peterson (Drew), Rehfeldt, Reimer, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, and Wittman

Excused: Bathke, Czmowski, Garcia, and Soye

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

Rep. Jamison moved that the Committee on State Affairs be instructed to deliver **SJR 504** to the floor of the House, pursuant to JR 7-7.

Which motion was not supported.

Rep. May moved that the Committee on Education be instructed to deliver **SB 198** to the floor of the House, pursuant to JR 7-7.

Which motion was supported and the committee was so instructed.

CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Odenbach moved that the reports of the Standing Committees on

Judiciary on **SB 49** as found on page 467 of the House Journal; and

State Affairs on **SB 135** as found on page 466 of the House Journal be adopted.

Which motion prevailed and the reports were adopted.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 37: FOR AN ACT ENTITLED, An Act to make appropriations for water and environmental purposes and to declare an emergency.

SB 69: FOR AN ACT ENTITLED, An Act to make an appropriation for the purchase of a new Division of Highway Patrol airplane and mission equipment and to declare an emergency.

SB 79: FOR AN ACT ENTITLED, An Act to make an appropriation to the South Dakota Board of Technical Education to construct an advanced manufacturing laboratory space and classrooms on the campus of Southeast Technical College and to declare an emergency.

SB 136: FOR AN ACT ENTITLED, An Act to make an appropriation for grants to support the purchase of personal protective equipment by volunteer fire departments and to declare an emergency.

SB 220: FOR AN ACT ENTITLED, An Act to authorize a comprehensive study of juvenile correctional and residential facilities, to make an appropriation therefor, and to declare an emergency.

Were read the first time and the Speaker waived the committee referral pursuant to JR 6D-1.

SECOND READING AND CONSIDERATION OF CONSENT CALENDAR ITEMS

Rep. Jensen (Phil) requested that **SB 44** be removed from the Consent Calendar.

SB 43: FOR AN ACT ENTITLED, An Act to address search and seizure provisions applicable to digital currency.

SB 45: FOR AN ACT ENTITLED, An Act to revise a provision regulating delta-8 tetrahydrocannabinol, THC-O acetate, and hexahydrocannabinol for persons under the age of twenty-one and to provide a penalty therefor.

SB 90: FOR AN ACT ENTITLED, An Act to expand the information required to be sent to the prescription drug monitoring program for each registry identification card holder.

SB 132: FOR AN ACT ENTITLED, An Act to modify provisions related to the South Dakota Veterans Council.

SB 142: FOR AN ACT ENTITLED, An Act to amend the requirements for filing certain campaign finance disclosure statements.

Were read the second time.

The question being "Shall **SB 45, 90, 132, and 142** pass as amended, and **SB 43** pass?"

And the roll being called:

Yeas 65, Nays 1, Excused 4, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, DeGroot, Derby, Duffy, Emery, Fitzgerald, Fosness, Goodwin, 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, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Randolph, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaefbauer, Schwans, Shorma, Shubeck, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

Nays: Mulally

Excused: Bathke, Czmowski, Garcia, and Soye

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 SENATE BILLS AND JOINT RESOLUTIONS

SB 15: FOR AN ACT ENTITLED, An Act to create the Developmental Disability Service Delivery Committee.

Was read the second time.

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

15C

On page 1, line 3, of the Senate Health and Human Services Engrossed bill, after "1." delete " That a NEW SECTION be added to chapter 2-6:"

On page 1, line 21, of the Senate Health and Human Services Engrossed bill, after "2." delete " That a NEW SECTION be added to chapter 2-6:"

On page 2, line 17, of the Senate Health and Human Services Engrossed bill, after "3." delete " That a NEW SECTION be added to chapter 2-6:"

On page 2, line 21, of the Senate Health and Human Services Engrossed bill, after "4." delete " That a NEW SECTION be added to chapter 2-6:"

On page 2, after line 28, of the Senate Health and Human Services Engrossed bill, insert: "

Section 5. This Act expires on January 1, 2030."

Which motion prevailed.

The question being "Shall **SB 15** pass as amended?"

And the roll being called:

Yeas 67, Nays 0, Excused 3, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, DeGroot, Derby, Duffy, Emery, Fitzgerald, Fosness, Garcia, Goodwin, 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, Schaefbauer, Schwans, Shorma, Shubeck, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

Excused: Bathke, Czmowski, and Soye

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 130: FOR AN ACT ENTITLED, An Act to make an appropriation for roadway and related infrastructure improvements required because of construction activity at Ellsworth Air Force Base and to declare an emergency.

Was read the second time.

The question being "Shall **SB 130** pass?"

And the roll being called:

Yeas 65, Nays 2, Excused 3, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, DeGroot, Derby, Duffy, Emery, Fitzgerald, 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, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaefbauer, Schwans, Shorma, Shubeck, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

Nays: Gosch and Randolph

Excused: Bathke, Czmowski, and Soye

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.

SB 231: FOR AN ACT ENTITLED, An Act to create the water infrastructure development fund, to provide an appropriation, to provide for the awarding of grants and loans from the fund for certain rural water projects and to declare an emergency.

Was read the second time.

The question being "Shall **SB 231** pass?"

And the roll being called:

Yeas 60, Nays 7, Excused 3, Absent 0

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

Nays: Aylward, Emery, Jensen (Phil), Jordan, Manhart, Mulally, and Randolph

Excused: Bathke, Czmowski, and Soye

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.

SB 240: FOR AN ACT ENTITLED, An Act to make an appropriation for county rural access infrastructure and to declare an emergency.

Was read the second time.

The question being "Shall **SB 240** pass as amended?"

And the roll being called:

Yeas 64, Nays 2, Excused 4, Absent 0

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

Nays: Mulally and Randolph

Excused: Bathke, Czmowski, Jensen (Phil), and Soye

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.

SB 131: FOR AN ACT ENTITLED, An Act to revise the season in which a nonprofit organization may host a special pheasant hunt for disabled veterans and Purple Heart recipients.

Was read the second time.

The question being "Shall **SB 131** pass as amended?"

And the roll being called:

Yeas 66, Nays 0, Excused 4, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, DeGroot, Derby, Duffy, Emery, Fitzgerald, Fosness, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison, 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, Schaefbauer, Schwans, Shorma, Shubeck, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

Excused: Bathke, Czmowski, Jensen (Phil), and Soye

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 214: FOR AN ACT ENTITLED, An Act to amend provisions pertaining to the publication of the statewide voter registration file.

Was read the second time.

The question being "Shall **SB 214** pass as amended?"

And the roll being called:

Yeas 36, Nays 30, Excused 4, Absent 0

Yeas: Andera, Auch, Aylward, Bahmuller, Baxter, Derby, Garcia, Goodwin, Gosch, Heinemann, Hughes, Hunt, Ismay, Jamison, Jordan, Jorgenson, Kayser, Kolbeck (Jack), Lems, Manhart, May, Moore, Mulally, Mulder, Nolz, Novstrup, Odenbach, Randolph, Reimer, Rice, Schaefbauer, Schwans, Shubeck, Sjaarda, Weems, and Speaker Hansen

Nays: Arlint, DeGroot, Duffy, Emery, Fitzgerald, Fosness, Greenfield, Halverson, Healy, Heermann, Kassin, Kull, Ladner, Massie, Mortenson, Muckey, Overweg, Peterson (Drew), Pourier, Rehfeldt, Reisch, Roby, Roe, Shorma, Stevens, Uhre-Balk, Van Diepen, Walburg, Weisgram, and Wittman

Excused: Bathke, Czmowski, Jensen (Phil), and Soye

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 17: FOR AN ACT ENTITLED, An Act to prohibit a candidate or political committee from accepting contributions or loans made by a foreign national, to provide a penalty therefor, and to declare an emergency.

Was read the second time.

The question being "Shall **SB 17** pass?"

And the roll being called:

Yeas 66, Nays 0, Excused 4, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, DeGroot, Derby, Duffy, Emery, Fitzgerald, Fosness, Garcia, Goodwin, Gosch, Greenfield, Halverson, Healy, Heermann, Heinemann, Hughes, Hunt, Ismay, Jamison, 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, Schaefbauer, Schwans, Shorma, Shubeck, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

Excused: Bathke, Czmowski, Jensen (Phil), and Soye

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.

SB 133: FOR AN ACT ENTITLED, An Act to provide additional legislative oversight of rulemaking.

Was read the second time.

The question being "Shall **SB 133** pass as amended?"

And the roll being called:

Yeas 66, Nays 1, Excused 3, Absent 0

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, DeGroot, Derby, Duffy, Emery, Fitzgerald, Fosness, Garcia, Goodwin, 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, Schaefbauer, Schwans, Shorma, Shubeck, Sjaarda, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

Nays: Stevens

Excused: Bathke, Czmowski, and Soye

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 41: FOR AN ACT ENTITLED, An Act to revise a provision related to criminal invasions of privacy, prohibit the creation and distribution of digitally fabricated material of an identifiable individual, and provide penalties therefor.

Was read the second time.

Rep. Mortenson moved that **SB 41** be amended as follows:

41A

On page 2, line 8, of the Introduced bill, after "nudity" insert ", as defined in § 22-24A-2,"

On page 2, line 9, of the Introduced bill, after "in" insert " such"

Which motion prevailed.

The question being "Shall **SB 41** pass as amended?"

And the roll being called:

Yeas 60, Nays 6, Excused 4, Absent 0

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

Nays: Healy, Hunt, Ismay, Jensen (Phil), Jordan, and Wittman

Excused: Bathke, Czmowski, Muckey, and Soye

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 42: FOR AN ACT ENTITLED, An Act to enhance the penalties for ingestion, possession with intent to deliver, and delivery of a controlled substance in a state correctional facility.

Was read the second time.

The question being "Shall **SB 42** pass as amended?"

And the roll being called:

Yeas 55, Nays 11, Excused 4, Absent 0

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

Nays: Aylward, Baxter, Emery, Healy, May, Mulder, Odenbach, Overweg, Pourier, Uhre-Balk, and Wittman

Excused: Bathke, Czmowski, Muckey, and Soye

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 98: FOR AN ACT ENTITLED, An Act to prevent virtual currency kiosk fraud.

Was read the second time.

The question being "Shall **SB 98** pass as amended?"

And the roll being called:

Yeas 59, Nays 7, Excused 4, Absent 0

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

Nays: Aylward, Jensen (Phil), Jordan, Mulally, Randolph, Rice, and Schaefbauer

Excused: Bathke, Czmowski, Muckey, and Soye

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.

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

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on House Education respectfully reports that it has had under consideration **SB 198** and returns the same without recommendation.

Respectfully submitted,
Lana J. Greenfield, Chair

SIGNING OF BILLS

The Speaker publicly read the title to

HB 1027: FOR AN ACT ENTITLED, An Act to update certain citations to federal regulations regarding pipeline safety inspections.

HB 1049: FOR AN ACT ENTITLED, An Act to protect electric infrastructure in this state.

HB 1092: FOR AN ACT ENTITLED, An Act to update provisions pertaining to open records.

HB 1099: FOR AN ACT ENTITLED, An Act to reschedule the pharmaceutical composition of crystalline polymorph psilocybin in a drug product approved by the Food and Drug Administration as a Schedule IV controlled substance.

HB 1107: FOR AN ACT ENTITLED, An Act to modify restrictions on lands for certain public purposes.

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

HB 1164: FOR AN ACT ENTITLED, An Act to establish the crime of fraudulent assisted reproduction and provide a penalty and civil liability therefor.

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

HB 1193: FOR AN ACT ENTITLED, An Act to modify the provisions for a refund of taxes to disabled veterans and surviving spouses under certain property tax relief programs.

HB 1234: FOR AN ACT ENTITLED, An Act to revise provisions related to serving a subpoena in a contested case.

HB 1264: FOR AN ACT ENTITLED, An Act to eliminate the Agricultural Land Assessment Implementation and Oversight Advisory Task Force, and to provide that the Department of Revenue receive the submission of recommendations and provide a report on agricultural value.

SB 32: FOR AN ACT ENTITLED, An Act to amend and repeal provisions pertaining to the ballot requirements for certain elections and to declare an emergency.

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 88: FOR AN ACT ENTITLED, An Act to clarify the procedure for a potential condemnor to examine real property absent the property owner's permission.

SB 100: FOR AN ACT ENTITLED, An Act to revise provisions related to trusts.

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

SB 113: FOR AN ACT ENTITLED, An Act to increase the penalty for preventing practice of religion.

SB 138: FOR AN ACT ENTITLED, An Act to revise the time within which a recount for a school board election must be completed.

SB 197: FOR AN ACT ENTITLED, An Act to modify the administration of the South Dakota-Ireland trade fund.

And signed the same in the presence of the House.

COMMEMORATIONS

HC 8018: A LEGISLATIVE COMMEMORATION celebrating the seventy-fifth anniversary of the creation of the Legislative Research Council.

Introduced by: **Representative** Derby

Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at 4:19 p.m. the House adjourned.

Patricia Miller, Chief Clerk