

# *JOURNAL OF THE HOUSE*

## *ONE HUNDRED FIRST SESSION*

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THIRTY-FIFTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Tuesday, March 10, 2026

The House convened at 11:00 a.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Rev. Cheryl Arguello, followed by the Pledge of Allegiance led by House pages Mallory Gant and Katie Hohn.

Roll Call: All members present except Reps. Bathke, May, and Soye who were 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 34th 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.

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**REPORTS OF STANDING COMMITTEES**

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MR. SPEAKER:

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The Committee on Legislative Procedure respectfully reports that **HB 1017, 1048, 1089, 1102, 1180, 1194, 1238, 1244, 1250, 1262, 1263, 1280, 1292, 1300, and 1311** were delivered to his Excellency, the Governor, for his approval at 9:33 a.m., March 10, 2026.

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Also MR. SPEAKER:

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The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **HB 1006, 1082, 1140, 1148, 1149, 1184, 1187, and 1249** and finds the same correctly enrolled.

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Respectfully submitted,

Jon Hansen, Chair

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**MESSAGES FROM THE SENATE**

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MR. SPEAKER:

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I have the honor to inform your honorable body that **HB 1160, 1241, and 1253** were lost on second reading and final passage.

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Also MR. SPEAKER:

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I have the honor to inform your honorable body that the Senate has concurred in House amendments to **SB 49**.

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Also MR. SPEAKER:

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I have the honor to return herewith **HB 1006, 1082, 1140, 1148, 1149, 1184, 1187, and 1249** which have passed the Senate without change.

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Also MR. SPEAKER:

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I have the honor to return herewith **HB 1038, 1215, 1274, 1320, and 1323** which have been amended by the Senate and your concurrence in the amendments is respectfully requested.

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Also MR. SPEAKER:

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I have the honor to inform your honorable body that **HB 1134, 1135, 1302, and 1303** were tabled.

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Respectfully,  
Peggy Laurenz, Secretary

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**MOTIONS AND RESOLUTIONS**

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Rep. Odenbach moved that when we adjourn today, we adjourn to convene at 10:00 a.m. on Wednesday, March 11, 2026, the 36th legislative day.

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Which motion prevailed.

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**COMMUNICATIONS AND PETITIONS**

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March 10, 2026

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Mr. Speaker and Members of the House of Representatives:

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I have the honor to inform you that on March 10, 2026, I approved House Bills 1099, 1106, 1164, and 1286, and the same have been deposited in the office of the Secretary of State.

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Respectfully submitted,

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Larry Rhoden

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Governor

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**MESSAGES FROM THE SENATE**

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MR. SPEAKER:

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I have the honor to inform your honorable body that the Senate has concurred in House amendments to **SB 39, 135, 159, and 171**.

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Also MR. SPEAKER:

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I have the honor to inform your honorable body that **HB 1176** was lost for failure to be placed on the Senate calendar.

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Also MR. SPEAKER:

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I have the honor to inform your honorable body that the Senate has appointed Senators Reed (Chair), Perry, and Vilhauer as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on **HB 1200**.

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Also MR. SPEAKER:

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I have the honor to inform your honorable body that the Senate has appointed Senators Deibert (Chair), Nelson, and Peterson (Sue) as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on **HB 1209**.

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Respectfully,

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Peggy Laurenz, Secretary

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**MOTIONS AND RESOLUTIONS**

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Rep. Mulder moved that the House do concur in Senate amendments to **HB 1220**.

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The question being on Rep. Mulder's motion that the House do concur in Senate amendments to **HB 1220**.

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And the roll being called:

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Yeas 60, Nays 7, Excused 3, Absent 0

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Yeas: Andera, Arlint, Auch, Bahmuller, Baxter, Czmowski, 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, Massie, Moore, Mortenson, Muckey, Mulally, Mulder, Nolz, Overweg, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaeftbauer, Schwans, Shorma, Shubeck, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

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Nays: Aylward, Jensen (Phil), Jordan, Manhart, Novstrup, Odenbach, and Randolph

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Excused: Bathke, May, and Soye

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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.

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17

Rep. Lems moved that the House do concur in Senate amendments to **HB 1038**.

18

The question being on Rep. Lems' motion that the House do concur in Senate amendments to **HB 1038**.

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And the roll being called:

21

Yeas 67, Nays 0, Excused 3, Absent 0

22

Yeas: Andera, Arlint, Auch, Aylward, Bahmuller, Baxter, Czmowski, 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, Moore, Mortenson, Muckey, Mulally, Mulder, Nolz, Novstrup, Odenbach, Overweg, Peterson (Drew), Pourier, Randolph, Rehfeldt, Reimer, Reisch, Rice, Roby, Roe, Schaeftbauer, Schwans, Shorma, Shubeck, Sjaarda, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, Wittman, and Speaker Hansen

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Excused: Bathke, May, and Soye

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

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Rep. Mortenson moved that the House do concur in Senate amendments to **HB 1215**.

33

The question being on Rep. Mortenson's motion that the House do concur in Senate amendments to **HB 1215**.

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And the roll being called:

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Yeas 63, Nays 4, Excused 3, Absent 0

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

8 Nays: Hunt, Ismay, Mulally, and Rice

9 Excused: Bathke, May, and Soye

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

12 Rep. Hughes moved that the House do concur in Senate amendments to **HB 1274**.

13 The question being on Rep. Hughes' motion that the House do concur in Senate amendments  
14 to **HB 1274**.

15 And the roll being called:

16 Yeas 61, Nays 6, Excused 3, Absent 0

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

24 Nays: Emery, Healy, Muckey, Schaeftbauer, Uhre-Balk, and Wittman

25 Excused: Bathke, May, and Soye

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

28 Rep. Randolph moved that the House do concur in Senate amendments to **HB 1320**.

29 The question being on Rep. Randolph's motion that the House do concur in Senate  
30 amendments to **HB 1320**.

31 And the roll being called:

32 Yeas 64, Nays 3, Excused 3, Absent 0

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

40 Nays: Reimer, Roe, and Stevens

1 Excused: Bathke, May, and Soye

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

4 Rep. Aylward moved that the House do concur in Senate amendments to **HB 1323**.

5 Rep. Van Diepen moved as a substitute motion that the House do not concur in Senate  
6 amendments to **HB 1323** and that no committee be appointed.

7 The question being on Rep. Van Diepen's substitute motion that the House do not concur in  
8 Senate amendments to **HB 1323** and that no committee be appointed.

9 And the roll being called:

10 Yeas 40, Nays 27, Excused 3, Absent 0

11 Yeas: Arlint, Bahmuller, Czmowski, DeGroot, Derby, Duffy, Emery, Fitzgerald, Fosness,  
12 Goodwin, Greenfield, Halverson, Healy, Heermann, Jamison, Kassin, Kolbeck (Jack), Kull, Ladner,  
13 Massie, Moore, Mortenson, Muckey, Mulder, Peterson (Drew), Pourier, Rehfeldt, Reimer, Reisch,  
14 Roby, Roe, Shorma, Shubeck, Stevens, Uhre-Balk, Van Diepen, Walburg, Weems, Weisgram, and  
15 Wittman

16 Nays: Andera, Auch, Aylward, Baxter, Garcia, Gosch, Heinemann, Hughes, Hunt, Ismay,  
17 Jensen (Phil), Jordan, Jorgenson, Kayser, Lems, Manhart, Mulally, Nolz, Novstrup, Odenbach,  
18 Overweg, Randolph, Rice, Schaeffbauer, Schwans, Sjaarda, and Speaker Hansen

19 Excused: Bathke, May, and Soye

20 So the motion having received an affirmative vote of a majority of the members-elect, the  
21 Speaker declared the motion carried and no committee was appointed.

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

24 **REPORTS OF STANDING COMMITTEES**

25 MR. SPEAKER:

26 The Committee on Joint Legislative Procedure respectfully reports that it has had under  
27 consideration the proposed calendar for the One Hundred-Second Legislative Session and  
28 respectfully recommends the days of the One Hundred-Second Legislative Session be adopted as  
29 shown below:

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# 102<sup>nd</sup> SOUTH DAKOTA LEGISLATIVE SESSION CALENDAR

## 2027 38 Legislative Days - 2027 B

Please refer to the Joint Rules, Chapter 17 for complete information.

	Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat	
<b>January 2027</b>						1	2	
	3	4	5	6	7	8	9	
	10	11	12 Session Opens 12 Noon(CST)  <i>State of the State</i> 1:00 p.m.  LD 1	13 <i>State of the Judiciary</i> 10:00 a.m.  <i>State of the Tribes</i> 1:00 p.m.  LD 2	14	15	LD 3	LD 4
	17	18 <i>Martin Luther King Jr. Day</i>	19 Executive orders filed (Constitution, Art. IV, Sec. 8)  LD 5	20	21 <i>Jt. Memorial Service</i> 3:00pm  LD 7	22	23 LD 8	
	24	25	26 Bill and resolution draft requests due to LRC by 5:00pm (for unlimited introduction)  LD 9	27	28 Last day for unlimited bill and resolution introduction (JR 6B-3) (TWO HOURS prior to session)  LD 10	29	30 LD 11	
<b>February 2027</b>	31	1 All bill and resolution draft requests due to LRC by 5:00pm  LD 13	2 Committee bill and resolution draft requests due to LRC by 5:00pm  LD 14	3 Last day for introduction of individual bills and resolutions (TWO HOURS prior to session)  LD 15	4 Last day for introduction of committee bills and resolutions (TWO HOURS prior to session)  LD 16	5	6 LD 17	
	7	8	9	10	11 Last day for JCA selection of general fund revenue targets (JR 7-11.1)  LD 20	12	13 LD 21	
	14	15 <i>President's Day</i>	16	17	18	19	20 LD 22	
							LD 23	LD 24
	21	22 Last day to move required delivery of bills or resolutions by a committee to the house of origin, and Last day to use JR 5-17  LD 26	23 Last day to pass bills or joint resolutions by the house of origin (Crossover Day), and Last day to invoke JR 7-7 in the house of origin  LD 27	24	25 Last day for JCA to move required delivery of special appropriation bills to house of origin (JR 17-1)  LD 28	26	27 LD 29	

March 2027	28	1	2	3	4	5	6
		Last day for house of origin to pass special appropriation bills referred from JCA (JR 17-1), and Commemoration requests due to LRC by 5:00pm LD 30		JR 5-13 in effect, and Last day for introduction of commemorations (TWO HOURS prior to session) LD 32	Last day to move required delivery of bills or joint resolutions by a committee to the second house LD 33		
			LD 31	LD 32	LD 33		
		8	9	10	11	12	13
		Last day for a bill or joint resolution to pass both houses, and Last day to invoke JR 7-7 in the second house LD 34					
			LD 35	LD 36	LD 37		
	14	15	16	17	18	19	20
	21	22	23	24	25	26	27
	28	29	30	31	1	2	3
		<i>Easter Monday</i>		Reserved for consideration of gubernatorial vetoes LD 38			

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Respectfully submitted,  
Chris Karr, Chair

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**MESSAGES FROM THE SENATE**

4 MR. SPEAKER:

5 I have the honor to inform your honorable body that the Senate has appointed  
6 Senators Otten (Chair), Lapka, and Rohl as a committee of three on the part of the Senate to meet  
7 with a like committee on the part of the House to adjust the differences between the two houses on  
8 **SB 121**.

9 Also MR. SPEAKER:

10 I have the honor to inform your honorable body that the Senate has appointed  
11 Senators Otten (Chair), Lapka, and Miskimins as a committee of three on the part of the Senate to  
12 meet with a like committee on the part of the House to adjust the differences between the two  
13 houses on **SB 74**.

14 Also MR. SPEAKER:

15 I have the honor to inform your honorable body that the Senate has concurred in House  
16 amendments to **SB 106, 119, and 221**.

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Respectfully,  
Peggy Laurenz, Secretary

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**SIGNING OF BILLS**

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The Speaker publicly read the title to

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**HB 1006:** FOR AN ACT ENTITLED, An Act to create a taskforce to study the creation of Indian medicaid managed care entities in the state.

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**HB 1082:** FOR AN ACT ENTITLED, An Act to establish parameters for the reimbursement of school districts that provide free or reduced-price meals to students.

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**HB 1140:** FOR AN ACT ENTITLED, An Act to permit a court to impose as a condition of probation, or parole in certain circumstances, treatment at a nonprofit entity awarded an alternative care program grant.

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**HB 1148:** FOR AN ACT ENTITLED, An Act to adopt the respiratory care interstate compact.

11

**HB 1149:** FOR AN ACT ENTITLED, An Act to adopt the athletic trainer licensure compact.

12

**HB 1184:** FOR AN ACT ENTITLED, An Act to define man and woman throughout the state.

13

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

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**HB 1249:** FOR AN ACT ENTITLED, An Act to amend provisions pertaining to the School Finance Accountability Board, and the process by which a recommendation of the board is approved.

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**SB 3:** FOR AN ACT ENTITLED, An Act to limit the types of residential improvements for which counties, municipalities, and townships may require a permit.

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19

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

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**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.

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**SB 49:** FOR AN ACT ENTITLED, An Act to safeguard the integrity, privacy, and security of genetic data and provide a civil penalty therefor.

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**SB 76:** FOR AN ACT ENTITLED, An Act to authorize loans from the South Dakota housing infrastructure fund for airport infrastructure.

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28

**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.

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**SB 96:** FOR AN ACT ENTITLED, An Act to authorize the imposition of a county option gross receipts tax to reduce owner-occupied property taxes.

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**SB 102:** FOR AN ACT ENTITLED, An Act to modify the distribution of gaming revenues.

33

**SB 107:** FOR AN ACT ENTITLED, An Act to add licensed and registered child care programs to the definition of community safety zone.

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**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.

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

38

1 **SB 137:** FOR AN ACT ENTITLED, An Act to establish procedures for anti-SLAPP actions to  
2 protect the exercise of a person's constitutional rights, including freedom of speech.

3 **SB 139:** FOR AN ACT ENTITLED, An Act to revise a provision related to the transportation of  
4 an inmate upon discharge from a correctional facility.

5 **SB 179:** FOR AN ACT ENTITLED, An Act to permit a court to commit a juvenile adjudicated  
6 delinquent for certain weapons offenses to the Department of Corrections.

7 **SB 204:** FOR AN ACT ENTITLED, An Act to revise certain criteria for loans from the South  
8 Dakota housing infrastructure fund.

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

11 **SB 219:** FOR AN ACT ENTITLED, An Act to require that a state agency consult with the  
12 Aeronautics Commission prior to purchasing, transferring, or disposing of a state owned and  
13 operated aircraft.

14 **SB 222:** FOR AN ACT ENTITLED, An Act to make an appropriation for eligible water,  
15 wastewater, storm water, and riparian buffer initiative projects 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 3:24 p.m. the House adjourned.

19 Patricia Miller, Chief Clerk