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

The prayer was offered by the Chaplain, Rev. Greg Kroger, followed by the Pledge of Allegiance led by House pages Gabe Fanning and Justice Jessop.

Roll Call: All members present except Reps. Deutsch, Pourier, and Sullivan 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 eleventh 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,
Steven G. Haugaard, Chair

Which motion prevailed.
MR. SPEAKER:

The Committee on House Health and Human Services respectfully reports that it has had under consideration HB 1056 and returns the same with the recommendation that said bill be amended as follows:

On the Introduced bill, delete everything after the enacting clause and insert:

"Section 1. That a NEW SECTION be added:

34-121-1. Definitions.

Terms as used in this chapter mean:

(1) "Assisted living center," any institution, rest home, boarding home, place, building, or agency, which is maintained and operated to provide personal care and services, beyond food, shelter, and laundry;

(2) "Authorized representative," the legal guardian of a resident, acting under a court order that specifically authorizes the guardian to consent to video monitoring of the resident, or the agent of a resident, acting under a durable power of attorney that specifically authorizes the agent to consent to video monitoring of the resident;

(3) "Decision-making capacity," the ability to understand, to a reasonable extent, the nature of and the risks and benefits of video monitoring, and to make and communicate, with reasonable accommodation if necessary, a decision regarding video monitoring;

(4) "Facility," an assisted living center or a nursing facility;

(5) "Nursing facility," any entity that is maintained and operated for the express or implied purpose of providing care to one or more persons, whether for consideration or not, who are not acutely ill but require nursing care and related medical services of such complexity as to require professional nursing care under the direction of a physician, twenty-four hours per day, or an entity that is maintained and operated for the express or implied purpose of providing care to one or more persons, whether for consideration or not, who do not require the degree of care and treatment that a hospital is designed to provide, but who because of their mental or physical condition require medical care and health services that can be made available to them only through institutional facilities;

(6) "Resident," a person who is at least eighteen years of age and resides in a facility;

and

(7) "Video monitoring device," a camera or other device, which captures, records or broadcasts video and which is placed in a resident’s room and used to monitor the resident or activities in the room.

Section 2. That a NEW SECTION be added:

34-121-2. Consent form--Submission to facility.

Before initiating video monitoring, a resident shall complete and submit to the facility a notice and consent form that meets the requirements of § 34-121-4. If the resident lacks decision-making capacity, as determined by a physician, the form may be completed and submitted by an authorized representative of the resident.
Section 3. That a NEW SECTION be added:


If a resident has a roommate, the resident may not conduct video monitoring unless the
roommate has provided written consent. If the roommate lacks decision-making capacity, as
determined by a physician, the consent may be provided by an authorized representative of the
roommate.

The roommate may refuse or withdraw consent to video monitoring. If consent is refused, the
resident may not conduct video monitoring and if consent is withdrawn, the resident shall remove
any video monitoring device from the room. If the resident fails to remove the video monitoring
device, the facility shall remove the device.

The roommate may impose restrictions on the placement and operation of the resident’s video
monitoring device and on the dissemination and use of any data produced by the device. The
restrictions must be included with the resident’s notice and consent form, in accordance with § 34-
12I-4.

The resident shall comply with any restrictions imposed by a roommate. Upon being notified
by a roommate and determining that the resident is not in compliance with any such restriction, the
facility shall remove the video monitoring device from the room.

If the roommate refuses to consent, the facility shall, upon the written request of the resident,
relocate the resident to another room, as soon as circumstances permit. The facility is not required
to provide the resident with a single room, unless the resident agrees to pay the increased charges.

Section 4. That a NEW SECTION be added:

34-12I-4. Consent form--Content.

The notice and consent form must include:

(1) A statement affirming that the resident consents to video monitoring and assumes
full responsibility for implementing any restrictions imposed on the placement and use of the video
monitoring device and on the dissemination and use of any data produced by the device;

(2) If the resident has a roommate, a statement affirming that the roommate, subject
to any noted restrictions, consents to video monitoring by the resident and to the dissemination and
use of any data produced by the device;

(3) A description of the video monitoring device, including the brand name and model
number, and the installation and operating requirements;

(4) Restrictions that the resident or the roommate impose on the placement and use of
the video monitoring device, including:

(a) Prohibitions on video recording;

(b) Prohibitions on broadcasting video recordings;

(c) Requiring that the video monitoring device be turned off or blocked during an
examination or procedure by a health care provider;

(d) Requiring that the video monitoring device be turned off or blocked while dressing,
bathing, or personal care is being performed; and

(e) Requiring that the video monitoring device be turned off or blocked during a visit
with an attorney, financial planner, intimate partner, ombudsman, spiritual adviser, or other visitor;
(5) A statement of the circumstances under which a video recording may be disseminated;

(6) A section for documenting the withdrawal of consent by the resident or a roommate;

(7) The signature of the resident and the date of signing; and

(8) If the resident has a roommate, the signature of the roommate and the date of signing.

The resident or a roommate may amend the information contained in the notice and consent form. Any amendment must be dated, signed, and submitted to the facility.

If the notice and consent form or an amendment to the form is signed by an authorized representative, it must include a physician’s statement verifying that the person, on whose behalf the authorized representative is acting, lacks decision-making capacity, and a copy of the guardianship order or power of attorney granting the authorized representative authority to consent to video monitoring.

Upon receiving a completed notice and consent form, or any amendment to the form, the facility shall place the form in the resident’s file and provide a copy to the resident or an authorized representative of the resident, and to the resident’s roommate or an authorized representative of the roommate.

The notice and consent form, or an amendment thereto, is not effective until it has been received by the facility.

**Section 5. That a NEW SECTION be added:**

34-121-5. Cost--Liability.

The resident is liable for any costs associated with the installation, operation, maintenance, and removal of the video monitoring device, except that the facility may not impose a fee on the resident to cover the cost of electricity for operating the device.

**Section 6. That a NEW SECTION be added:**

34-121-6. Connection to internet--Options--Conditions.

A resident may not use a facility’s local area network to connect the video monitoring device to the internet, unless the facility provides written consent to the resident. A facility that consents to a resident’s use of the network may impose conditions on the use to prevent a data breach and to limit the consumption of available bandwidth.

If a facility does not consent to a resident's use of the network, the resident may arrange for access to the internet through an internet service provider. The facility may impose conditions on the installation of any wire, cable, or other technologies, required for internet access to:

(1) Prevent damage to the facility;

(2) Avoid the creation of a safety hazard; or

(3) Avoid the violation of any applicable building or electrical code.

**Section 7. That a NEW SECTION be added:**

34-121-7. Video monitoring device--Placement--Conditions.

The resident shall place the video monitoring device in a conspicuously visible location in the resident’s room. The facility may impose conditions on the placement of the device to:
(1) Prevent damage to the facility;
(2) Avoid the creation of a safety hazard; or
(3) Avoid the violation of any applicable building or electrical code.

Section 8. That a NEW SECTION be added:
34-12I-8. Audio monitoring device--Use--Penalty.

Any person who places or operates an audio monitoring device in a resident's room is guilty of a Class 1 misdemeanor.

A facility is not civilly or criminally liable for any violation of a person's right to privacy arising out of the use of an audio monitoring device, except to the extent the violation was caused by the facility's intentional violation of this Act.

For purposes of this section, an "audio monitoring device," means a device that is designed to capture, record, or broadcast audio and when placed in a resident's room is used to monitor the resident's conversations or other sounds in the room.

Section 9. That a NEW SECTION be added:

A facility may deactivate and remove any video monitoring device that is installed, placed, operated, or used in violation of this Act or in violation of any condition imposed in accordance with this Act.

Section 10. That a NEW SECTION be added:
34-12I-10. Responsibility of resident--Facility.

A resident is responsible for the installation, operation, maintenance, and removal of the video monitoring device. Except as otherwise provided in this Act, a facility has no duty to perform any act or incur any cost related to the installation, operation, maintenance, or removal of a video monitoring device, or the implementation or enforcement of any restriction imposed by or in accordance with this Act.

Section 11. That a NEW SECTION be added:
34-12I-11. Notice.

If a resident is conducting video monitoring, the facility shall post conspicuous signage at the entrance to the resident's room indicating that the room is being monitored by means of a video monitoring device.

Section 12. That a NEW SECTION be added:
34-12I-12. Destruction prohibited--Penalty.

Except as otherwise provided in this Act, a person may not intentionally remove, hamper, obstruct, tamper with, or destroy a video monitoring device or a video recording produced by such device, without the permission of the resident. A violation of this section is a Class 1 misdemeanor.

Section 13. That a NEW SECTION be added:

Except as otherwise provided in this Act, a person may not access or disseminate a recording produced by a video monitoring device, without the written consent of the resident. A violation of this section is a Class 1 misdemeanor.

Section 14. That a NEW SECTION be added:


A person who possess a video recording created in accordance with this Act shall, upon the facility’s written request, provide a copy of the recording to the facility if:

(1) An allegation of neglect, abuse, or other misconduct has been filed against the facility in a civil, criminal, or administrative action; and

(2) The recording contains evidence pertinent to the alleged neglect, abuse, or other misconduct.

The facility shall reimburse the person for any reasonable costs incurred in providing the video recording.

Section 15. That a NEW SECTION be added:

34-12I-15. Evidentiary material.

Subject to applicable rules of evidence and procedure, a video recording produced by a video monitoring device may be admitted into evidence in any civil, criminal, or administrative proceeding, provided:

(1) The video monitoring was conducted in accordance with this Act;

(2) The recording has not been edited or artificially enhanced; and

(3) The recording indicates the date and time that the events occurred.

Section 16. That a NEW SECTION be added:


A facility may not discriminate or retaliate against any resident or roommate for consenting to or refusing to consent to video monitoring.

A facility may not discriminate against any potential resident or potential roommate for consenting to or refusing to consent to video monitoring.

Section 17. That a NEW SECTION be added:

34-12I-17. Liability--Civil--Criminal.

A facility is not civilly or criminally liable for any violation of a person’s right to privacy arising out of the use of a video monitoring device, except to the extent the violation was caused by the facility’s intentional violation of this Act.
Section 18. That a NEW SECTION be added:


Any complaint alleging that a facility has violated this Act must be filed with the secretary of the Department of Health and adjudicated under chapter 1-26. A violation of this Act may not form the basis of any private civil cause of action."

And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Committee on House Health and Human Services respectfully reports that it has had under consideration HB 1076 which was deferred to the 41st Legislative Day.

Also MR. SPEAKER:

The Committee on House Health and Human Services respectfully reports that it has had under consideration HCR 6001 and returns the same with the recommendation that said resolution be concurred in.

Respectfully submitted,
Kevin D. Jensen, Chair

Also MR. SPEAKER:

The Committee on House Taxation respectfully reports that it has had under consideration HB 1007 and returns the same with the recommendation that said bill be amended as follows:

On page 1, line 8, of the Introduced bill, remove the overstrikes from "annually"

On page 1, line 11, remove the overstrikes from "may"

On page 1, line 11, after "may " delete "shall "

On page 1, line 12, after "director " insert "of equalization "

On page 1, line 12, after "extent" delete " any of"

On page 1, line 12, after "the" delete " agricultural land's"

On page 1, line 13, after "productivity" insert " of the land"

On page 1, line 16, delete "The location, size, soil " and insert "One or more of the following factors:

(a) Location;

(b) Size;

(c) Soil "

On page 1, line 16, delete ", terrain, and topographical" and insert ";

(d) Terrain;
(e) Topographical"

On page 1, line 16, delete " of the land including the climate, accessibility, carrying capacity and surface" and insert ";

(f) Climate;

(g) Accessibility;"

On page 1, line 17, after "surface " insert "or

(h) Surface "

On page 1, line 18, remove the overstrikes from "Each adjustment shall "

On page 1, line 18, after "shall " delete "The adjustment warranted by each factor in subdivisions (1) and (2) must "

On page 1, line 19, after "documented" delete " consistent with the county's established protocol for documenting an adjustment"

On page 1, line 20, delete " may" and insert " shall"

On page 1, line 26, after "standards, " insert "or if any factors listed in subdivision (2) exist that affect the productivity of the land, "

On page 2, line 1, after "equalization" insert " on a form prescribed by the department"

On page 2, line 1, remove the overstrikes from "The "

On page 2, line 1, after "The " delete "At the conclusion of the examination, the "

On page 2, line 2, delete " make a documented determination of " and insert " determine "

On page 2, line 2, remove the overstrikes from " to adjust"

On page 2, line 2, after "adjust" delete " or not an adjustment to"

On page 2, line 3, remove the overstrikes from " pursuant to the"

On page 2, line 3, after "the" delete " is warranted based on a consideration of all"

On page 2, line 4, after "(2)." insert "

The director of equalization shall document all supporting evidence for the adjustment determination. The director of equalization shall provide any adjustment documentation to the department upon request. The adjustment documentation must be kept in the director of equalization's office for the life of the adjustment."

And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Committee on House Taxation respectfully reports that it has had under consideration HB 1060 and returns the same with the recommendation that said bill do pass.
Also MR. SPEAKER:

The Committee on House Taxation respectfully reports that it has had under consideration HB 1078 which was tabled.

Respectfully submitted,
Mark Willadsen, Chair

Also MR. SPEAKER:

The Committee on House Agriculture and Natural Resources respectfully reports that it has had under consideration HB 1058 and 1080 and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,
Thomas J. Brunner, Chair

Also MR. SPEAKER:

The Committee on House Transportation respectfully reports that it has had under consideration HB 1066 and returns the same with the recommendation that said bill be amended as follows:

1066A

On page 2, line 12, of the Introduced bill, after "airport" insert ", any airport facility,"

On page 2, line 12, after "airport" delete ", and which can lead to damage to or loss of airport system equipment or property or the environment"

1066B

On page 4, line 19, of the Introduced bill, after "state" delete "aviation" and insert "aeronautics"

And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Committee on House Transportation respectfully reports that it has had under consideration HB 1084 and returns the same with the recommendation that said bill be amended as follows:

1084B

On page 1, line 2, of the Introduced bill, after "feed" insert " and to declare an emergency"

On page 1, line 14, of the Introduced bill, after "2. " insert "Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

And that as so amended, said bill do pass.
Also MR. SPEAKER:

The Committee on House Transportation respectfully reports that it has had under consideration HB 1075 and returns the same with the recommendation that said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,

John Mills, Chair

MOTIONS AND RESOLUTIONS

HCR 6004: A CONCURRENT RESOLUTION, To create a task force for the purpose of reviewing the manner in which mental health services are delivered in this state and considering changes to existing models or alternative models that could be utilized for the delivery of mental health services on a regional basis in this state.

Introduced by: Representative Diedrich

HR 7001: A RESOLUTION, to ensure the existence of a healthy, sustainable equine population.

Introduced by: Representative Rasmussen

Were read the first time.

CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Qualm moved that the reports of the Standing Committees on Education on HB 1083 as found on page 78 of the House Journal; also Commerce and Energy on HB 1041 as found on page 79 of the House Journal; also State Affairs on HB 1085 as found on page 79 of the House Journal; and Judiciary on HB 1096 as found on page 80 of the House Journal be adopted. Which motion prevailed and the reports were adopted.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1128: FOR AN ACT ENTITLED, An Act to modify the penalty for causing a child to be present during methamphetamine use, distribution, or manufacture.

Introduced by: Representative Reed

HB 1129: FOR AN ACT ENTITLED, An Act to authorize the provision of call location information to law enforcement agencies.

Introduced by: Representative Hammock
HB 1130: FOR AN ACT ENTITLED, An Act to revise the requirements for an enhanced permit to carry a concealed pistol.

Introduced by: Representative Brunner

HB 1131: FOR AN ACT ENTITLED, An Act to prohibit the use of misleading identification for telephonic communications.

Introduced by: Representative Diedrich

HB 1133: FOR AN ACT ENTITLED, An Act to provide a rebuttable presumption in favor of joint physical custody of a minor child.

Introduced by: Representative St. John

HB 1143: FOR AN ACT ENTITLED, An Act to prohibit school districts from using school or athletic team names, mascots, or nicknames that are determined to be racially derogatory or discriminatory.

Introduced by: Representative Bordeaux

HB 1150: FOR AN ACT ENTITLED, An Act to increase the annual assessment limits for certain road maintenance and repairs.

Introduced by: Representative Pischke

HB 1151: FOR AN ACT ENTITLED, An Act to establish the minimum value of the benefit of a street improvement.

Introduced by: Representative Pischke

HB 1152: FOR AN ACT ENTITLED, An Act to provide financial assistance for school sentinel training.

Introduced by: Representative Hammock

HB 1153: FOR AN ACT ENTITLED, An Act to authorize the limited possession of a knife in the state capitol.

Introduced by: Representative Hammock

HB 1154: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding motor vehicle license plates.

Introduced by: Representative Frye-Mueller

HB 1156: FOR AN ACT ENTITLED, An Act to prohibit the conduct of certain physical examinations or screenings on students in a school district without parental consent.

Introduced by: Representative Frye-Mueller

HB 1157: FOR AN ACT ENTITLED, An Act to provide for kindergarten enrollment options.

Introduced by: Representative Randolph
HB 1159: FOR AN ACT ENTITLED, An Act to revise provisions regarding the referral of opt-outs made by school districts.

Introduced by: Representative Mills

HB 1163: FOR AN ACT ENTITLED, An Act to require parental permission and website posting of student survey instruments.

Introduced by: Representative Randolph


Introduced by: The Committee on Judiciary at the request of the Code Commission

HB 1165: FOR AN ACT ENTITLED, An Act to revise provisions regarding the acceptance of gifts by municipalities.

Introduced by: Representative Reed

HB 1166: FOR AN ACT ENTITLED, An Act to revise provisions regarding the appointment of inactive watershed district boards and the reactivation of watershed districts.

Introduced by: Representative Anderson

HB 1167: FOR AN ACT ENTITLED, An Act to revise provisions regarding confidential communications between a student and certain school employees.

Introduced by: Representative Chris Johnson

HB 1169: FOR AN ACT ENTITLED, An Act to prohibit the use of certain electronic devices while driving.

Introduced by: Representative Barthel

HB 1170: FOR AN ACT ENTITLED, An Act to revise provisions regarding the use of certain lights by tow truck vehicles.

Introduced by: Representative Rounds

HB 1171: FOR AN ACT ENTITLED, An Act to require commercial pesticide applicators to maintain proof of financial responsibility.

Introduced by: Representative Rasmussen

HB 1172: FOR AN ACT ENTITLED, An Act to require the annual submission of a zero-based budget from certain departments or budget units.

Introduced by: Representative Howard

HB 1173: FOR AN ACT ENTITLED, An Act to prohibit a school board from denying an application for open enrollment from certain students with autism.

Introduced by: Representative Hansen
HB 1174: FOR AN ACT ENTITLED, An Act to establish the date of kindergarten enrollment eligibility.

Introduced by: Representative Chase

HB 1175: FOR AN ACT ENTITLED, An Act to define dyslexia for the purposes of special education and related services.

Introduced by: Representative Rasmussen

HB 1176: FOR AN ACT ENTITLED, An Act to authorize the consumption of alcohol in certain common areas.

Introduced by: Representative Hansen

HB 1177: FOR AN ACT ENTITLED, An Act to require that school district elections occur in conjunction with the general election.

Introduced by: Representative Post

HB 1178: FOR AN ACT ENTITLED, An Act to revise the seller's property condition disclosure statement.

Introduced by: Representative Chase

HB 1179: FOR AN ACT ENTITLED, An Act to authorize series limited liability companies.

Introduced by: Representative Hansen

HB 1180: FOR AN ACT ENTITLED, An Act to require certain infrastructure standards in certain annexed areas.

Introduced by: Representative Reed

HB 1181: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding bounties for coyotes.

Introduced by: Representative Brunner

HB 1182: FOR AN ACT ENTITLED, An Act to provide for the renewal of an enhanced permit to carry a concealed pistol.

Introduced by: Representative Brunner

HB 1183: FOR AN ACT ENTITLED, An Act to increase driver licensing fees and dedicate that increase to transit providers.

Introduced by: Representative Chase

HB 1184: FOR AN ACT ENTITLED, An Act to provide limited deer and antelope licenses to landowners.

Introduced by: Representative Brunner
HB 1185: FOR AN ACT ENTITLED, An Act to limit public employer consideration of certain criminal backgrounds.

Introduced by: Representative Bordeaux

HB 1186: FOR AN ACT ENTITLED, An Act to revise certain education programs and promote efficiency in state government and to make an appropriation therefor.

Introduced by: Representative Karr

HB 1187: FOR AN ACT ENTITLED, An Act to to revise certain health care programs and make an appropriation therefor.

Introduced by: Representative Karr

HB 1188: FOR AN ACT ENTITLED, An Act to revise certain programs regarding the Board of Regents and promote efficiency in state government and to make an appropriation therefor.

Introduced by: Representative Karr

HB 1189: FOR AN ACT ENTITLED, An Act to revise certain provisions to enhance and promote South Dakota and to make an appropriation therefor.

Introduced by: Representative Karr

HB 1190: FOR AN ACT ENTITLED, An Act to accommodate legislation regarding modifications of revenue reporting.

Introduced by: Representative Haugaard

HB 1191: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding legislative authority.

Introduced by: Representative Haugaard

HB 1192: FOR AN ACT ENTITLED, An Act to accommodate legislation enhancing criminal justice.

Introduced by: Representative Haugaard

HB 1193: FOR AN ACT ENTITLED, An Act to accommodate legislation enhancing health and human services.

Introduced by: Representative Haugaard

HB 1194: FOR AN ACT ENTITLED, An Act to authorize federally recognized Indian tribes to receive PEACE funds.

Introduced by: Representative Bordeaux

HB 1195: FOR AN ACT ENTITLED, An Act to establish certain fetal harm as an assault.

Introduced by: Representative Gosch
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<td>FOR AN ACT ENTITLED, An Act to require testing of moisture meters and protein-measuring devices.</td>
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<td>Representative Reed at the request of the Electric Services in an Annexed Area</td>
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<td>HB 1204</td>
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<td>HB 1206</td>
<td>FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the commitment of a delinquent child to the Department of Corrections.</td>
<td>Representative Kevin Jensen</td>
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HB 1207: FOR AN ACT ENTITLED, An Act to extend the termination date for the Juvenile
Justice Public Safety Oversight Council.

Introduced by: Representative Kevin Jensen

HB 1208: FOR AN ACT ENTITLED, An Act to revise provisions regarding the titling of motor
vehicles.

Introduced by: Representative Anderson

HB 1209: FOR AN ACT ENTITLED, An Act to revise provisions regarding the sales of certain
older vehicles by auction agencies.

Introduced by: Representative Anderson

HB 1210: FOR AN ACT ENTITLED, An Act to require parental notice of a social and emotional
learning questionnaire regarding a student.

Introduced by: Representative Randolph

HB 1211: FOR AN ACT ENTITLED, An Act to change the payment process for forensic medical
examinations.

Introduced by: Representative Reed

HB 1212: FOR AN ACT ENTITLED, An Act to add certain persons to the list of mandatory
reporters of suspected child abuse or neglect.

Introduced by: Representative Healy

HB 1213: FOR AN ACT ENTITLED, An Act to preclude the assignment of exclusive broadcast
rights for certain high school interscholastic activities.

Introduced by: Representative Gosch

HB 1214: FOR AN ACT ENTITLED, An Act to revise provisions regarding autism spectrum
disorder.

Introduced by: Representative Pischke

HB 1215: FOR AN ACT ENTITLED, An Act to prohibit the state from endorsing or enforcing
certain policies regarding domestic relations.

Introduced by: Representative Randolph

Were read the first time.

HB 1134: FOR AN ACT ENTITLED, An Act to permit certain acts at a school honoring or
graduation ceremony.

Introduced by: Representative Bordeaux
HB 1145: FOR AN ACT ENTITLED, An Act to authorize certain tribal members to attend certain institutions of higher education or postsecondary technical institutes without payment of tuition.

Introduced by: Representative Bordeaux

HB 1162: FOR AN ACT ENTITLED, An Act to provide certain provisions regarding sex education in public schools.

Introduced by: Representative Randolph

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

HB 1136: FOR AN ACT ENTITLED, An Act to provide for the licensure and regulation of practitioners of acupuncture and Oriental medicine and to establish the acupuncture regulation fund.

Introduced by: Representative St. John

HB 1137: FOR AN ACT ENTITLED, An Act to require the provision of medical billing information and a settlement offer for unpaid medical bills.

Introduced by: Representative Pischke

HB 1141: FOR AN ACT ENTITLED, An Act to require a feasibility study and actuarial analysis on long-term care services and supports.

Introduced by: Representative Cwach

HB 1142: FOR AN ACT ENTITLED, An Act to include post-traumatic stress disorder as a compensable injury for purposes of workers' compensation.

Introduced by: Representative Cwach

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

HB 1139: FOR AN ACT ENTITLED, An Act to require the payment of attorney’s fees in cases addressing noncompliance with visitation orders.

Introduced by: Representative Pischke

HB 1140: FOR AN ACT ENTITLED, An Act to provide for a regular review of parenting guidelines.

Introduced by: Representative Pischke

HB 1146: FOR AN ACT ENTITLED, An Act to exclude second job income from child support obligations.

Introduced by: Representative Pischke

HB 1147: FOR AN ACT ENTITLED, An Act to recalculate abatement of the basic child support obligation.

Introduced by: Representative Pischke
HB 1148: FOR AN ACT ENTITLED, An Act to provide for protection orders.

Introduced by: Representative Pischke

HB 1149: FOR AN ACT ENTITLED, An Act to establish qualifications for child custody evaluators.

Introduced by: Representative Pischke

HB 1155: FOR AN ACT ENTITLED, An Act to exempt certain retirement funds from division of property in a divorce.

Introduced by: Representative Frye-Mueller

HB 1158: FOR AN ACT ENTITLED, An Act to remove irreconcilable differences as a cause for divorce.

Introduced by: Representative Randolph

HB 1168: FOR AN ACT ENTITLED, An Act to revise tenant and landlord rights.

Introduced by: Representative Mulally

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

HB 1144: FOR AN ACT ENTITLED, An Act to remove the requirement for a ballot election in township elections if candidates are unopposed.

Introduced by: Representative Pischke

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

HB 1132: FOR AN ACT ENTITLED, An Act to create a Commission on Indian Affairs.

Introduced by: Representative Bordeaux

HB 1135: FOR AN ACT ENTITLED, An Act to provide certain provisions that require the Governor to consult the Legislature before mobilizing the National Guard or law enforcement in certain circumstances.

Introduced by: Representative Bordeaux

HB 1138: FOR AN ACT ENTITLED, An Act to establish shooting course requirements for current or former law enforcement officers seeking an enhanced permit to carry a concealed pistol.

Introduced by: Representative Hammock

Were read the first time and referred to the Committee on State Affairs.
HB 1160: FOR AN ACT ENTITLED, An Act to to remove the tax exemption for cosmetic medical procedures.

Introduced by: Representative Mills
Was read the first time and referred to the Committee on Taxation.

HB 1161: FOR AN ACT ENTITLED, An Act to revise the provision regarding emblem license plates.

Introduced by: Representative Mills
Was read the first time and referred to the Committee on Transportation.

The following bills were read on January 29, 2020, and today the Speaker assigned these bills to committees:

HB 1112 and 1118 were referred to the Committee on Agriculture and Natural Resources.

HB 1125, 1126, and 1127 were referred to the Committee on Commerce and Energy.

HB 1113, 1114, 1115, 1119, 1121, 1122, and 1123 were referred to the Committee on Judiciary.

HB 1116 and 1120 were referred to the Committee on Local Government.

HB 1117 and HJR 5001 were referred to the Committee on State Affairs.

HB 1124 was referred to the Committee on Taxation.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

The following bill was read on January 29, 2020, and today the Speaker assigned this bill to committee:

SB 1 was referred to the Committee on Health and Human Services.

SECOND READING OF CONSENT CALENDAR ITEMS

HB 1039: FOR AN ACT ENTITLED, An Act to revise the rule-making authority of the Human Resources Commissioner regarding the drug screening program for certain state employees.

HB 1040: FOR AN ACT ENTITLED, An Act to increase the frequency of background investigations for certain state employees.

Were read the second time.

The question being "Shall HB 1039 and 1040 pass?"
And the roll being called:

Yea 66, Nays 1, Excused 3, Absent 0
SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1006: FOR AN ACT ENTITLED, An Act to authorize the secretary of revenue to contract with certain entities for purposes of creating or maintaining a database to determine agricultural income value and to specify the mandatory and permissive data of the database.

Was read the second time.

Rep. Ring moved that HB 1006 be amended as follows:

On page 2, line 14, of the House Taxation bill, after "learning," delete "and"

On page 2, line 14, after "authority" insert ", or private entity"

Which motion prevailed.

The question being "Shall HB 1006 pass as amended?"

And the roll being called:

Yeas 66, Nays 1, Excused 3, Absent 0

Yeas:
Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Duvall, Frye-Mueller, Glanzer, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, David Johnson, Karr, Koth, Latterell, Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Qualm, Randolph, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:
Finck

Excused:
Deutsch, Pourier, and Sullivan

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.
HB 1063: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the purchase, distribution, and sale of tobacco products to persons under the age of twenty-one.

Was read the second time.

The question being "Shall HB 1063 pass as amended?"

And the roll being called:

Yeas 43, Nays 24, Excused 3, Absent 0

Yeas:
Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Chaffee, Chase, Cwach, Dennert, Diedrich, Duba, Finck, Glanzer, Lana Greenfield, Hammock, Healy, Hunhoff, Kevin Jensen, Johns, David Johnson, Koth, Lesmeister, Mc Cleerey, Mills, Milstead, Miskimins, Olson, Herman Otten, Perry, Kent Peterson, Sue Peterson, Qualm, Reed, Reimer, Ring, Saba, Jamie Smith, St. John, Wangsness, Wiese, Willadsen, and York

Nays:

Excused:
Deutsch, Pourier, and Sullivan

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.

HB 1062: FOR AN ACT ENTITLED, An Act to increase the financial empowerment of state residents.

Was read the second time.

Rep. Brunner moved that HB 1062 be laid on the table.

The question being on Rep. Brunner's motion that HB 1062 be laid on the table.

And the roll being called:

Yeas 62, Nays 4, Excused 4, Absent 0

Yeas:

Nays:
Dennert, Kent Peterson, Sue Peterson, and Steele

Excused:
Deutsch, Post, Pourier, and Sullivan
So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and HB 1062 was tabled.

COMMEMORATIONS

HC 8011: A LEGISLATIVE COMMEMORATION, Commending and honoring Renee Ullom, a member of the Brandon Valley School District Board of Education, on her selection as the Associated School Boards of South Dakota Outstanding School Board Member of South Dakota for 2019.

Introduced by: Representatives Barthel, Bartels, Bordeaux, Borglum, Chase, Cwach, Dennert, Duba, Duvall, Finck, Goodwin, Gosch, Lana Greenfield, Healy, Hunhoff, Kevin Jensen, Johns, David Johnson, Koth, Lesmeister, Mc Cleerey, Milstead, Miskimins, Olson, Herman Otten, Perry, Kent Peterson, Pischke, Reed, Reimer, Jamie Smith, St. John, Steele, Wiese, Willadsen, and Zikmund and Senators Sutton, Bolin, Castleberry, Curd, Duhamel, Ewing, Brock Greenfield, Heinert, Kennedy, Kolbeck, Lake, Langer, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, White, Wiik, and Wismer

Was read the first time.

Rep. Steele moved that the House do now adjourn, which motion prevailed and at 2:09 p.m. the House adjourned.

Mary Lou Goehring, Chief Clerk