



2025 South Dakota Legislature  
**House Bill 1216**  
**ENROLLED**

AN ACT

**ENTITLED An Act to modify and repeal provisions related to the Legislative Research Council.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

**Section 1. That § 2-7-7 be AMENDED:**

**2-7-7.** The secretary of the Senate and chief clerk of the House of Representatives shall:

- (1) Keep correct journals of the proceedings of the Senate and House of Representatives, respectively;
- (2) Have custody of all records, accounts, and other papers committed to them;
- (3) At the close of each session of the Legislature, deposit for safekeeping with the secretary of state all books, bills, documents, resolutions, and papers in the possession of the Legislature, correctly labeled, folded, and classified;
- (4) Deposit the Senate and House of Representatives journals, respectively, with the secretary of state within forty days after the adjournment of the Legislature; and
- (5) Perform duties as assigned by the Senate or House of Representatives, respectively.

**Section 2. That § 2-9-1 be AMENDED:**

**2-9-1.** The Legislative Research Council shall continue and shall consist of all members of the South Dakota Legislature. The Legislative Research Council may consider legislative policies between sessions of the Legislature.

**Section 3. That § 2-9-2 be AMENDED:**

**2-9-2.** There is established the Executive Board of the Legislative Research Council, consisting of fifteen members, as follows:

- (1) Four members from the Senate, elected by a majority vote in party caucus in odd-numbered years;
- (2) Five members from the House of Representatives, elected by a majority vote in party caucus in odd-numbered years;
- (3) The president pro tempore, majority leader, and minority leader of the Senate; and
- (4) The speaker, majority leader, and minority leader of the House of Representatives.

The number of Senate and House of Representatives members on the executive board must remain constant, and any vacancy must be filled by the respective legislative bodies in party caucus. If a vacancy occurs in the ex officio position on the board for the president pro tempore, the vacancy on the board must be filled by the majority party caucus until the Senate elects a new president pro tempore. If a vacancy occurs in the ex officio position on the board for the speaker, the vacancy on the board must be filled by the speaker pro tempore until the House of Representatives elects a new speaker. No board member, excepting ex officio, may serve more than three successive terms.

**Section 4. That § 2-9-4 be AMENDED:**

**2-9-4.** The executive board shall:

- (1) Instigate research and collect information concerning the government and general welfare of the state;
- (2) Investigate and make recommendations concerning important issues of public policy and questions of statewide interest;
- (3) Prepare a legislative program in the form of bills, or otherwise, as in its opinion the welfare of the state may require, to be presented to the Legislature;
- (4) Cooperate with the administration in devising means of enforcing the law;
- (5) Study, inquire, make recommendations, and propose bills in any phase or branch of state government so deemed advisable and necessary;
- (6) Appoint and name committees from the members of the Legislative Research Council, and assign to the committees appropriate subjects and projects of whatever character and nature the executive board deems advisable. Each member of the council is entitled to membership on one study committee of the member's choice insofar as practicable;
- (7) Conduct legislative oversight and management analysis of the executive branch of government by means of a selective program of performance auditing and

cooperate with the administration in improving the efficiency and effectiveness of administrative methods;

- (8) Review and make recommendations for further legislative action regarding the opinions of state and federal courts which have sought to interpret the intent of South Dakota legislative acts; and
- (9) Allocate funds to the House of Representatives and the Senate to pay for out-of-state travel and salary or per diem costs incurred by members, and to pay for in-state travel and salary or per diem costs incurred by members, excluding costs associated with any legislative session.

The Legislative Research Council shall make payments to representatives for costs and travel approved by the speaker of the House of Representatives, from the funds allocated to the House of Representatives, and shall make payments to senators for costs and travel approved by the president pro tempore of the Senate, from the funds allocated to the Senate. Any payment decision of the speaker of the House of Representatives may be appealed to the members of the executive board from the House of Representatives. Any payment decision of the president pro tempore of the Senate may be appealed to the members of the executive board from the Senate. No funds may be paid beyond the amounts allocated to each body.

**Section 5. That § 2-9-7 be AMENDED:**

**2-9-7.** Claims of members of the Legislative Research Council and members of the executive board for compensation and expenses must be paid out of funds appropriated therefor, and on vouchers approved according to rules determined by the executive board.

**Section 6. That § 2-9-9 be AMENDED:**

**2-9-9.** There is hereby established within the Legislative Research Council the position of code counsel. The executive board shall appoint a code counsel who is a graduate of an accredited law school and who is either admitted to the practice of law in this state at the time of appointment or is eligible to and becomes admitted within one year after appointment.

**Section 7. That § 2-9-10 be AMENDED:**

**2-9-10.** The code counsel must be provided with offices within or adjacent to the office of the Legislative Research Council.

**Section 8. That § 2-9-13.1 be AMENDED:**

**2-9-13.1.** The executive board shall assign college student interns to the legislative branch of government. The executive board shall set the number of interns and divide the total number of interns between the political parties in each chamber in proportion to the party membership in each chamber as nearly as is practicable. The minority party in each house shall have a minimum of three interns.

**Section 9. That § 2-9-14 be AMENDED:**

**2-9-14.** The executive board shall administer the program and supervise the college student interns who are assigned to the legislative branch of government.

**Section 10. That § 2-16-5.2 be AMENDED:**

**2-16-5.2.** The director of the Legislative Research Council and the code counsel shall assist the Code Commission within the limitations as it may prescribe and to provide space for its supplies and to make available the facilities of the council for its meetings. The director shall also supervise the secretarial functions of the commission and otherwise assist it to the extent feasible.

**Section 11. That § 3-9-5 be AMENDED:**

**3-9-5.** Members of the Legislature, and officers of the Legislature who are not members, may incur traveling and personal expenditures outside the boundaries of this state by and with the consent of the speaker of the House of Representatives and the president pro tempore of the Senate when the Legislature is in session, and, when the Legislature is not in session, by and with the written consent of the Executive Board of the Legislative Research Council.

**Section 12. That § 3-9-5.1 be AMENDED:**

**3-9-5.1.** Officers and employees of the Department of Legislative Audit and the Legislative Research Council may incur traveling and personal expenditures outside the boundaries of this state by and with the written consent of the chair of the Executive Board of the Legislative Research Council.

**Section 13. That § 4-2-8 be AMENDED:**

**4-2-8.** The Executive Board of the Legislative Research Council is empowered to act on behalf of the Legislature in directing the activities of the auditor-general.

**Section 14. That § 2-9-7.1 be REPEALED.**

**Section 15. That § 2-9-30.1 be REPEALED.**

An Act to modify and repeal provisions related to the Legislative Research Council.

I certify that the attached Act originated in the:  
House as Bill No. 1216

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_, 2025 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_ for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2025

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2025 at \_\_\_\_\_ o'clock \_\_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1216  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State