

JOURNAL OF THE HOUSE

ONE HUNDRED FIRST SESSION

SECOND DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, January 14, 2026

The House convened at 9:30 a.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Rev. Jake Krahn, followed by the Pledge of Allegiance led by House page Brayden Bahmuller.

Roll Call: All members present except Reps. Bathke, Gosch, May, Pourier, and Stevens 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 1st 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.

1 The oath of office was administered by Speaker Hansen to Committee Secretary Jean Denton
2 and Secretary to the Majority Party Jack Odenbach.

3 Which was subscribed to and placed on file in the office of the Secretary of State.

4 **COMMUNICATIONS AND PETITIONS**

5 January 13, 2026

6 The Honorable Jon Hansen
7 Speaker of the House
8 500 East Capitol Avenue
9 Pierre, South Dakota 57501

10 Dear Mr. Speaker and Members of the House of Representatives,

11 I respectfully submit Executive Reorganization Order 2026-02 to the South Dakota House of
12 Representatives.

13 Respectfully submitted,
14 Larry Rhoden
15 Governor

16 **STATE OF SOUTH DAKOTA**
17 **OFFICE OF THE GOVERNOR**
18 **EXECUTIVE ORDER 2026-02**

19 **Whereas**, Article IV, Section 8, of the Constitution of the State of South Dakota provides in
20 relevant part that, "Except as to elected constitutional officers, the Governor may make such
21 changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in
22 allocation of their functions, powers and duties, as he considers necessary for efficient
23 administration. If such changes affect existing law, they shall be set forth in executive orders, which
24 shall be submitted to the Legislature within five legislative days after it convenes, and shall become
25 effective, and shall have the force of law, within ninety days after submission, unless disapproved
26 by a resolution concurred in by a majority of all the members of either house"; and,

27 **Whereas**, This Executive Order has been submitted to the regular session of the 101st
28 Legislature on the 1st legislative day, the 13th day of January 2026:

29 **IT IS, THEREFORE, BY EXECUTIVE ORDER**, directed that the executive branch of state
30 government be reorganized to comply with the following sections of this Order.

31 **GENERAL PROVISIONS**

32 **Section 1.** This Executive Order is to be known and may be cited as the "Executive
33 Reorganization Order 2026-02".

34 **Section 2.** Any agency not enumerated in this Order but established by law within
35 another agency which is transferred to a principal department under this Order, is also transferred
36 in its current form to the same principal department and its functions are allocated between itself
37 and the principal department as they are now allocated between itself and the agency within which
38 it is established.

39 **Section 3.** "Agency" as used in this Order means any board, authority, commission,
40 department, bureau, division, or any other unit or organization of state government.

- 1 **Section 4.** “Function” as used in this Order means any authority, power, responsibility,
2 duty, or activity of an agency, whether or not provided for by law.
- 3 **Section 5.** It is the intent of this Order not to repeal or amend any laws relating to
4 functions performed by an agency, unless the intent is specifically expressed in this Order or unless
5 there is an irreconcilable conflict between this Order and those laws.
- 6 **Section 6.** It is hereby declared that the sections, clauses, sentences, and parts of this
7 Order are severable, are not matters of mutual essential inducement, and any of them may be
8 excised by any court of competent jurisdiction if any section, clause, sentence, or part of this Order
9 would otherwise be unconstitutional or ineffective. If a part of this Order is invalid, all valid parts
10 that are severable from the invalid part remain in effect. If a part of this Order is invalid in one or
11 more of its applications, the part remains in effect in all valid applications.
- 12 **Section 7.** Except when inconsistent with the other provisions of this Order, all rules,
13 regulations, and standards of the agencies reorganized by this Order, in effect on the effective date
14 of this Order, shall continue with full force and effect until they are specifically altered, amended,
15 or revoked in the manner provided by law, unless the statutory authority for the rules, regulations,
16 and standards is superseded by this Order.
- 17 **Section 8.** The rights, privileges, and duties of, including but not limited to, the holders
18 of bonds and other obligations issued, and of the parties to contracts, leases, indentures, loan
19 agreements, and other transactions, entered into before the effective date of this Order by the state
20 or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein,
21 remain in effect, and none of those rights, privileges, duties, covenants, or agreements are impaired
22 or diminished by abolition of an agency in this Order. The agency to which functions of another
23 agency are transferred is substituted for that agency and succeeds to its rights and leases,
24 indentures, privileges, duties, covenants, agreements, and other transactions.
- 25 **Section 9.** No judicial or administrative suit, action, or other proceeding lawfully
26 commenced before the effective date of this Order by or against any agency or any officer of the
27 state, in their official capacity or in relation to the discharge of their official duties, may abate or be
28 affected by reason of the taking effect of any reorganization under the provisions of this Order. The
29 court may allow the suit, action, or other proceeding to be maintained by or against the successor
30 of any agency or any officer affected by this Order.
- 31 **Section 10.** If any part of this Order is ruled to be in conflict with federal requirements
32 which are a prescribed condition to the receipt of federal aid by the state, an agency, or a political
33 subdivision, that part of this Order has no effect and the Governor may by executive order make
34 necessary changes to this Order to receive federal aid, and the changes will remain in effect until
35 the last legislative day of the next legislative session or until the Legislature completes legislation
36 addressing the same question, whichever comes first.
- 37 **Section 11.** Pursuant to § 2-16-9, the Code Commission and code counsel of the
38 Legislative Research Council are requested to make the name, and title changes necessary to
39 correlate and integrate the organizational changes made by this Executive Reorganization Order
40 into the South Dakota Codified Laws.
- 41 **Section 12.** Any provisions of law in conflict with this Order are superseded.
- 42 **Section 13.** Whenever a function is transferred by this Order, all personnel, records,
43 property, unexpended balances of appropriations, allocations, or other funds utilized in performing
44 the function are also transferred by this Order.
- 45 **Section 14.** The effective date of this Executive Reorganization Order 2026-02 is ninety
46 days after its submission to the Legislature.
- 47 **Section 15.** The functions and programs of the former Bureau of Information and
48 Telecommunications, along with the functions of the former Commissioner of Information and

1 Telecommunications, are hereby transferred to the Bureau of Information and Technology and the
2 Commissioner of Information and Technology, respectively.

3 **Section 16.** The administrative functions performed by Bureau of Information and
4 Telecommunications for its board and its functions are transferred to the Bureau of Information and
5 Technology.

6 **Section 17.** Pursuant to § 2-16-9, the Code Commission and code counsel of the
7 Legislative Research Council are requested to amend the following sections by striking "Bureau of
8 Information and Telecommunications" and inserting "Bureau of Information and Technology"; and
9 by striking "commissioner of information and telecommunications" and inserting "commissioner of
10 the Bureau of Information and Technology":

11 Title 1:

12 1-11-16;

13 1-13-1; 1-13-1.1; 1-13-2; 1-13-3; 1-13-5; 1-13-6; 1-13-7;

14 1-27-45;

15 1-33-3; 1-33-26; 1-33-30; 1-33-31; 1-33-32; 1-33-33; 1-33-35; 1-33-36; 1-33-37;
16 1-33-38; 1-33-39; 1-33-40; 1-33-41; 1-33-43; 1-33-44; 1-33-45; 1-33-46;
17 1-33-47; 1-33-48; 1-33-49; 1-33-53; 1-33-54; 1-33-55; 1-33-57; 1-33-58;
18 1-33-59; 1-33-61; 1-33-63; 1-33-64; 1-33-65;

19 1-41-27; and

20 1-51-7.

21 Title 4:

22 4-8-18.

23 Title 13:

24 13-47-1; 13-47-1.1; 13-47-4; and 13-47-4.1.

25 Title 53:

26 53-12-47; 53-12-48; and 53-12-50.

27 **Section 18.** Executive Order 1994-04 is hereby rescinded.

28 Dated in Pierre, South Dakota this 13th day of January, 2026.

29 Larry Rhoden
30 Governor of South Dakota

31 ATTEST:
32 Monae L. Johnson
33 Secretary of State

1

REPORTS OF JOINT-SELECT COMMITTEES

2 MR. SPEAKER:

3 The Joint-Select Committee appointed to make arrangements for a Memorial Service for
 4 deceased former members of the South Dakota House of Representatives and Senate respectfully
 5 reports that they recommend that the House of Representatives and Senate recess and convene in
 6 the House Chamber at 3:00 p.m. on January 22, 2026, and that a Joint Memorial Resolution be
 7 introduced in their memory by their colleagues in the House of Representatives and Senate.

8 A short program will follow the introduction of the Memorial Resolution. At the conclusion of
 9 the Memorial Service, the Joint Session will be dissolved.

10 The Memorial Resolution shall be printed in the House and Senate Journals.

11	Respectfully submitted,	Respectfully submitted,
12	Brandei Schaeftbauer (Chair)	Carl Perry (Chair)
13	Erin Healy	Chris Karr
14	Mellissa Heermann	Jim Mehlhaff
15	Scott Odenbach	Jamie Smith
16	Tony Randolph	Larry P. Zikmund
17	Mike Stevens	Senate Committee
18	House Committee	

19 **MESSAGES FROM THE SENATE**

20 MR. SPEAKER:

21 I have the honor to inform your honorable body that the Senate has approved the adoption of
 22 the permanent joint rules of the One-hundredth Legislative Session as the temporary joint rules for
 23 the One Hundred First Legislative Session.

24 Also MR. SPEAKER:

25 I have the honor to inform your honorable body that the Senate has appointed Sens. Perry
 26 (Chair), Karr, Mehlhaff, Smith, and Zikmund as a committee of five on the part of the Senate to
 27 meet with a committee of six on the part of the House for the purpose of arranging for a memorial
 28 recognition of deceased former members of the House and Senate.

29 Respectfully,
 30 Peggy Laurenz, Secretary

31 **MOTIONS AND RESOLUTIONS**

32 **HR 7001:** A RESOLUTION recognizing the 250th anniversary of the Declaration of
 33 Independence.

34 Introduced by: **Representative** Wittman

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

1

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

2

HB 1057: FOR AN ACT ENTITLED, An Act to prohibit the manufacture, sale, and distribution of any product containing cell-cultured protein, and to provide a penalty therefor.

3

4

Introduced by: **Representative** Sjaarda

5

Was read the first time and referred to the Committee on Agriculture and Natural Resources.

6

HB 1061: FOR AN ACT ENTITLED, An Act to require the acceptance of cash as payment in certain transactions.

7

8

Introduced by: **Representative** Sjaarda

9

HB 1063: FOR AN ACT ENTITLED, An Act to establish requirements for natural hair braiding provided for compensation.

10

11

Introduced by: **Representative** Schwans

12

Were read the first time and referred to the Committee on Commerce and Energy.

13

HB 1056: FOR AN ACT ENTITLED, An Act to require that the Department of Social Services submit a federal waiver request to exclude soft drinks from the supplemental nutrition assistance program.

14

15

16

Introduced by: **Representative** Rehfeldt

17

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

18

HB 1062: FOR AN ACT ENTITLED, An Act to revise a provision related to aggravated assault.

19

Introduced by: **Representative** Kull

20

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

21

HB 1060: FOR AN ACT ENTITLED, An Act to remove the five percent calculation requirement from the county budgetary process.

22

23

Introduced by: **Representative** Moore

24

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

25

HJR 5001: A JOINT RESOLUTION proposing and submitting to the voters at the next general election an amendment to the Constitution of the State of South Dakota, prohibiting the transfer of private property to a non-governmental entity for the sole purpose of economic development or increased tax revenue.

26

27

28

29

Introduced by: **Representative** Gosch

30

Was read the first time and referred to the Committee on State Affairs.

1 **HB 1059**: FOR AN ACT ENTITLED, An Act to increase the amounts required in a motor vehicle
2 liability policy.

3 Introduced by: **Representative** Sjaarda

4 Was read the first time and referred to the Committee on Transportation.

5 The following bill was read on January 13, 2026, and today the Speaker assigned this bill to
6 committee:

7 **HB 1004** was referred to the Committee on Local Government.

8 Rep. Bahmuller moved that the House do now adjourn, which motion prevailed and at
9 9:43 a.m. the House adjourned.

10 Patricia Miller, Chief Clerk

11 **JOINT SESSION**

12 The Senate convened with the House of Representatives in the House Chamber for the purpose
13 of receiving a message from the Chief Justice of the Supreme Court, Steven R. Jensen. The President
14 of the Senate, Tonnis H. Venhuizen, presided.

15 The following prayer was delivered by Pastor Dallas McKinley, River Center Church, Pierre,
16 South Dakota:

17 Heavenly Father, Almighty God, who reigns in righteousness and truth,

18 We gather today in South Dakota for this State of the Judiciary, grateful for the opportunity to
19 reflect on the vital work of our courts and those who serve in them. We thank You for the dedication
20 of our judges, lawyers, and all who uphold the rule of law in our state, seeking justice that reflects
21 Your divine will, as our lawgiver.

22 We especially lift up our Chief Justice Steven Jensen, a faithful servant and friend of the people
23 of South Dakota, asking that You grant him wisdom, integrity, and strength as he leads with humility
24 and grace.

25 As we are led to pray in the Book of Common Prayer: "Almighty God, who sits on your throne
26 judging rightly: We humbly ask you to bless the courts of justice and the magistrates" in South
27 Dakota, that they may execute justice with mercy, maintain truth, and protect the vulnerable.

28 Guide all who labor in our judicial system to discern rightly, to act fairly, and to foster peace
29 in our communities. May Your Holy Spirit inspire us to pursue righteousness with compassion in all
30 we do.

31 We ask these things in the name of Your Son, Jesus Christ, our Lord. Amen.

32 The Secretary of the Senate, Peggy Laurenz, called the roll of the Senate and the following
33 members were present:

34 Blanc, Carley, Crabtree, Davis, Deibert, Duhamel, Foster, Grove, Hohn, Howard, Karr,
35 Kolbeck (Steve), Lapka, Larson, Mehlhaff, Miskimins, Nelson, Otten, Perry, Peterson (Sue), Pischke,
36 Reed, Rohl, Sauder, Schoenfish, Smith, Vilhauer, Voight, Voita, Wipf, and Zikmund

1 The Chief Clerk of the House of Representatives, Patricia Miller, called the roll of the House and
2 the following members were present:

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

10 Sen. Mehlhaff moved that a committee of seven on the part of the Senate and a committee of
11 eight on the part of the House be appointed to escort Chief Justice Steven R. Jensen to the rostrum.

12 Which motion prevailed and the President announced as such committee Sens. Karr, Mehlhaff,
13 Perry, Larson, Smith, Kolbeck, and Pischke on the part of the Senate and Reps. Lems, Odenbach,
14 Overweg, Healy, Emery, Stevens, Soye, and Schaeffbauer on the part of the House.

15 The Lieutenant Governor, Tonnis H. Venhuizen, introduced the Honorable Steven R. Jensen, to
16 deliver the State of the Judiciary Address.

17 The Sergeant at Arms announced the arrival of Chief Justice Steven R. Jensen who was
18 escorted to the rostrum.

19 Sen. Mehlhaff moved that the Joint Session do now recess until 1:00 p.m.

20 Which motion prevailed, and at 10:46 a.m. the Joint Session recessed.

21 **RECESS**

22 The Joint Session reconvened at 1:00 p.m., the President presiding.

23 **JOINT SESSION**

24 The Senate reconvened with the House of Representatives in the House Chamber for the
25 purpose of receiving a message on the State of the Tribes from the Honorable Kathleen Wooden
26 Knife, President, Rosebud Sioux Tribe. The President of the Senate, Tonnis H. Venhuizen, presided.

27 A traditional prayer was delivered by Mr. Russell Eagle Bear.

28 Sen. Mehlhaff moved that a committee of eight on the part of the Senate and a committee of
29 eight on the part of the House be appointed to escort President Kathleen Wooden Knife to the rostrum.

30 Which motion prevailed and the President announced as such committee Sens. Karr, Mehlhaff,
31 Perry, Larson, Smith, Rohl, Foster, and Deibert on the part of the Senate and Reps. Lems, Odenbach,
32 Overweg, Healy, Emery, Mortenson, Pourier, and Heinemann on the part of the House.

33 The Lieutenant Governor, Tonnis H. Venhuizen, introduced the Honorable Kathleen Wooden
34 Knife, who delivered the State of the Tribes Address.

35 The Sergeant at Arms announced the arrival of President Kathleen Wooden Knife who was
36 escorted to the rostrum.

1 Sen. Mehlhaff moved that the Joint Session do now dissolve.

2 Which motion prevailed.

