

2022 South Dakota Legislature | February 7, 2022

Week Four, 97th Legislative Session

Friday, Feb. 4, concluded the fourth week of the 97th South Dakota Legislative Session.

Thursday, Feb. 3, was the final day for bills to be filed. We now have 550 bills filed which will be discussed and debated over the remaining 21 days, an increase of 72 bills filed during the 2021 Legislative Session.

State of the State Highlights

The Governor emphasized several projects (among the 47 filed appropriation bills) she is supporting for an approximate \$1.4 billion in one-time federal and state spending projects.

A few notable projects include allocating \$600 million to modernize the aging water, wastewater and storm water infrastructure across South Dakota; appropriating approximately \$10 million for the expansion of Custer State Park; \$7.5 million for the building of an advanced manufacturing laboratory on the campus of Lake Area Technical College; \$69.6 million for the construction of a new state public health laboratory and approximately \$200 million to increase workforce housing across South Dakota.

Legislative News

Since last week's update, our attention has been heightened and has shifted to a recently filed bill that is very concerning for banks in South Dakota. **SB 182**, a bill brought by outside of South Dakota special interest groups, is aimed only and squarely at banks, and would restrict bank's ability to do business with the state if a bank has policies regarding banking firearms and ammunition customers. It further implies that we are not banking our gun and ammunition customers, both buyers and sellers, and we deeply resent that implication. We are developing targeted talking points on this matter, and we will need your help in lobbying your legislative members in the days and weeks ahead. Please stay tuned!

HB 1002: This bill is an act to revise certain provisions regarding the investments authorized for state public funds, brought by the State Investment Council. This allows the expansion of state public funds, invested by the State Investment Council where the permanent school and other educational and charitable trust funds, state cement plant trust funds, and the health care and education trust funds are invested.

HB 1008: This bill is an act to provide a *cause of action* for employees that are required to receive a vaccination as a condition of employment the ability to bring a claim against an employer for damages for injuries or illness brought by the vaccine. The SDBA Board of Directors has authorized the SDBA to advocate against this legislation.

HB 1085: This bill is an act to expand the eligibility for a small estate probate. The intent is to expand the value of the entire estate, wherever located, less liens and encumbrances, does not exceed \$100,000; a change from a \$50,000 threshold.

HB 1289 update provisions regarding self-service storage. The intent of this bill is to clean up language and modernize, however, when reviewing the language would strike prior lienholder rights. The SDBA Board has authorized us to object to this change. We are working with the sponsor to improve the bill prior to its hearing.

SB 158 to revise provisions regarding the liability of owner or caretaker of an impounded animal. This bill would provide any law enforcement agency that has seized an animal a priority lien upon the animal for costs incurred as a result of the seizure. We have discussed our concern with the sponsor, and he indicated he would pull the bill or request to send to the 41st day.

SB 171: This bill would prohibit health insurance policies from restricting the method of payment for dental care. This bill was filed on behalf of the South Dakota Dental Association, intending for dental practitioners to have alternative payment methods when receiving insurance payments from dental insuring companies.

HB 1061: This bill would codify an advisory committee for the Appraisal Certification Program. The SDBA continues to monitor this legislation.

HB 1115: This bill is to allow succession to real property by an affidavit. We have been tasked with opposing this bill by the SDBA Board as there are concerns regarding clear title.

SB 30: This bill is to add Juneteenth as a state holiday. The 19th day of June is commonly known as Juneteenth.

SB 53: This bill is to make an appropriation to increase workforce housing across South Dakota. This bill would appropriate \$200 million from state and federal funds to increase the housing supply across South Dakota.

SB 65: This bill is an act to delineate or outline the proper uses for the South Dakota Housing Opportunity Fund in the way of new single and multi-family housing, substantial rehabilitation of existing housing and homes to become more accessible to individuals with disabilities and to help prevent homelessness.

SB 79: This bill is an act to clarify cross-references regarding powers of attorney.

This summary concludes week four of the 97th Legislative Session in Pierre.

We hope you can join us on Feb. 9 in Pierre for the 2022 SDBA State Legislative Day. Go to sdba.com and register today. It's not too late!

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