



# 2024 Post Session Review & Analysis

# The 2024 Legislature

- **Senate: 31(R) – 4(D) = 35**
- **House: 63(R) – 7(D) = 70**

**Started with 2 vacant seats**

**Senator Castleberry – Senator Walsh**

**Representative Olson – Rep. Conzet**



# The Session: By the Numbers 2023

➤ Senate	220 bills	11 SJR	231 – total
➤ House	259 bills	3 HJR	262 – total
➤ Totals	479	14	493

<u>Chamber</u>	<u>Bills</u>	<u>Passed</u>	<u>%</u>
➤ Senate	220	117	53.2%
➤ House	259	116	44.8%
➤ Total	479	233	48.6%

- No Vetoes
  - Last happened 1955



# Number of Bills and Pass Rate

<u>Year</u>	<u>Senate</u>	<u>House</u>	<u>Total</u>	<u>Pass</u>
<b>2024</b>	<b>220</b>	<b>258</b>	<b>479</b> (+28)	<b>49%</b>
2023	210	241	451	46%
2022*	213	340	553	45%
2021	195	283	478	52%
2020	194	298	492	51%
2019	191	272	463	47%
2018	215	320	535	54%
2017	178	211	389	56%
2016	172	247	419	58%
2015	193	236	429	61%

# Bill Reports 2024

## Withdrawn, Hoghoused and Emergency Clauses

Year	Withdrawn	Hogged	Emergency
<b>2024</b>	<b>38</b>	<b>17 (7)</b>	<b>34 (27)</b>
2023	17	23 (6)	67 (41)
2022	26	27 (14)	104 (61)**
2021	18	16 ( 7)	101 (44)**
2020	35	20 (12)	50 (37) *
2019	26	46 (30)	32 (29)
2018	23	35 (23)	37 (33)
2017	20	33 (19)	29 (25)

\* 12 bills w/emergency clause submitted Veto Day

\*\* Bills for Federal/COVID funds

Numbers in parenthesis () indicate the number of bills that passed

# Uniform Commercial Code (UCC)

- **Established in 1953**
  - Uniform Law Commission (ULC) 1892 – standardize Commercial law
- **Standardized rules mainly small business/entrepreneurs**
  - Example - Titles stay with banks
  - CA does NOT use of hyphens section citations
- **Bill vetoed last year**
  - Definition of money – Crypto/Bitcoin
  - Central Bank Digital Currency –
    - Monetary policy/Forced use





# • Table of Contents

- ARTICLE 1 - GENERAL PROVISIONS (2001)
- ARTICLE 2 - SALES (2002)
- ARTICLE 2A - LEASES (2002)
- ARTICLE 3 - NEGOTIABLE INSTRUMENTS (2002)
- ARTICLE 4 - BANK DEPOSITS AND COLLECTIONS (2002)
- ARTICLE 4A - FUNDS TRANSFER (2012)
- ARTICLE 5 - LETTERS OF CREDIT (1995)
- ARTICLE 6 - BULK SALES (1989)
- ARTICLE 7 - DOCUMENTS OF TITLE (2003)
- **ARTICLE 8 - INVESTMENT SECURITIES (1994)**
- ARTICLE 9 - SECURED TRANSACTIONS (2010)



## Uniform Commercial Code

## Central Bank Digital Currency

## Stock Ownership

- **HB 1163 – UCC Update**
  - Business issue – more than banking issue
  - All 50 states
  - CBDC – separate bill
- **HB 1161 – Central Bank Digital Currency**
  - State will **NOT** take CBDC
  - Anyone else must accept another form
- **HB 1199 – How secure are securities**
  - Smaller investors don't get “certificates”



# CO2 Pipelines

## CO2 is Icky – National Policy Decided

- System of credits affect Ethanol/Aviation
- Ethanol/Aviation affect corn prices
- Few facilities sequester on site
- Not South Dakota
- Need to transport

Minority of landowners trying to stop

Referendum Filed – June 25<sup>th</sup>





# Opposition

# Landowner Concerns

## **Deny access to courts – eminent domain**

- ▶ Private Company
- ▶ Common Carrier Status
  - ▶ CO2 not used – pipeline not common carrier

## **Control of access for surveying**

- ▶ Deny access for surveying until permit issued
- ▶ Extend process times

## **Use of local restrictions**

- ▶ County set back rules leave no route



# Result: SB 201 and HB 1185 & HB 1186

- **State preemption over requirements**

- PUC function (Federal control)
- Other industries use easements

## Conditions

- New Fee = \$1/linear ft – to counties & landowners
- Minimum payment for survey access, must engage landowners
- Limit length of easements – 99 years
- CO2 pipelines 48 inches depth
- Repair damage


- **Landowner Bill of Rights**

# Childcare

## Why is this a business issue?

- ▶ **Workforce Issue**
  - ▶ How many people could join the workforce
  - ▶ Labor participation rate is high
  - ▶ How many employees might leave
- ▶ **Chamber has been involved for two years.**





# How the Chamber Focused on Childcare

## Housing Issue

### How much income to buy a “market price” home?

- Bad math = \$75,000 (really \$90,000)
- \$36/hr to \$45/hr

### How many of those?

- Plenty Jobs; Salary
- Two at \$18/hr to \$23/hr

Unless childcare takes most of one



**Collaborative**

**Creative Ideas**

**Study Cost of Childcare – SB 125**

**Businesses Opening Childcare Facilities**

- Or providing space and finding an operator – liability
- Jointly funding a space – with contracted operator

**Stipends for Daycare Costs**

- Becoming a new benefit like health insurance

**Tri-share**

- Costs split between parent, business and state funds.

**High Income/Large Business Solutions**

- What about those making \$20/hr & small business



# Childcare – Public Policy Issues

- ▶ **Financial Assistance for Low Income/Food Assistance**
  - ▶ Cost study with DSS – SB 125
  - ▶ Only help approx. 2,000
  - ▶ Very few centers are registered
  - ▶ Paperwork
- ▶ **State Funds to Help Additional Families**
  - ▶ Increase to 300% of Federal Poverty (currently qualify = 209%)
  - ▶ Possible Funding for Tri-Share Program
- ▶ **Not Seen as a State Responsibility**



# Discretionary Formula



- **HB 1181** - increase the number of years the discretionary formula may be applied to a structure
- **Phase in assessed values over 5 years**
  - This phases-in the tax payments
- **County option extension to 10 years**
  - Deferred to the 41<sup>st</sup> day – vote was 9-Yea to 4-Nay
  - School lobby “always panic”



# Medical Marijuana and the Workplace

Easier when pot was illegal –

- Don't you miss "Refer Madness?"

Employees with medical marijuana card are protected

- No test for impairment
- THC test only shows past use

**SB 12** - Authorize certain employer actions regarding the use of cannabis by an employee

- Safety-Sensitive jobs

# Governor's Focus on Second Chances



**SB 57:** create uniform procedures for consideration of criminal histories and convictions in professional or occupational licensure.



Establishes formal procedure to review past convictions, especially those not related to field of practice.



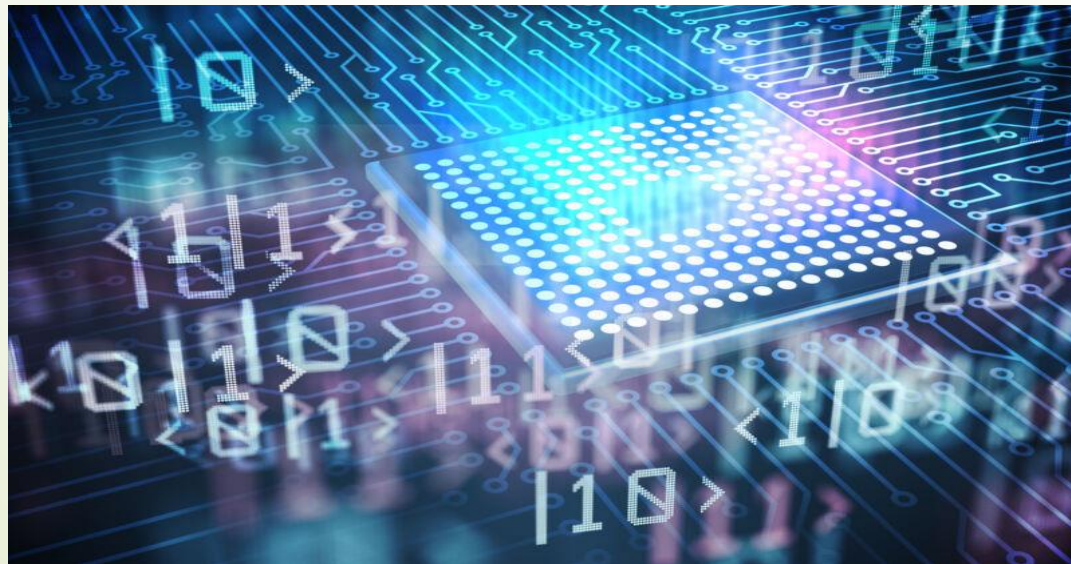
Workforce issue in State of State Address



Signed into law

# DSU – Quantum Computing

- ▶ A **\$3 million appropriation** to establish a Center for Quantum Information Science and Technology
  - ▶ A **quantum computer** takes advantage of quantum mechanical phenomena. Whatever that is.
- ▶ *Dakota State University (DSU) – Leads nation in cyber security skills.*





# Property Taxes

- **SB 167/HB 1040 – Limit annual increases of assessed values**
  - Limit to 3% per year
  - New “base” when sold
- **Taxes based on “market”**
  - Sales of comparable Hot housing market = higher taxes
  - Acquisition based system – base value set at purchase
- **Reduce Residential Taxes**
  - New Revenue/Increase current tax
  - Cut Budgets/transfer funds
  - Shift taxes to other categories



- **Questions, Comments, Reflections & Rumors**
  
- **Next Year in 2025 – The 100<sup>th</sup> Legislative Session**
  - January 14<sup>th</sup>. The latest possible start
    - Starts on the second Tuesday in January
  - Business Day is Thursday February 20<sup>th</sup>.
  - Crossover Tues. 25<sup>th</sup>