Six weeks of the 2024 SD Legislative session have been completed with three weeks remaining. There are two days until Crossover Day, so all bills must be out of the house of origin by next Wednesday. To date, approximately 40 percent of the introduced bills have been either defeated, table or withdrawn. We have also arrived at the point in Session when the Appropriations Committee adopts revenue projections. These projections lay the groundwork for compiling the state budget. The committee will spend the remainder of the Session establishing which items are a priority and ultimately end up in the final budget.

**Foreign Ownership of Agricultural Land**

Recently, the House of Representatives took up HB 1231 for consideration. After debate and a failed attempt at amending the bill, the House of Representatives passed it on a 61-6 vote. HB 1231 attempts to restrict foreign entities from purchasing agricultural land by accomplishing the following.

- Establishes a prohibited entity list that restricts countries such as China, Russia, Iran, North Korea, Venezuela and Cuba from buying agricultural land.
- Increases reporting to the Department of Ag and Natural Resources and the Secretary of State.
- Updates existing statute to deal with violations.

South Dakota Farm Bureau, along with every agricultural organization in the state, continues to watch the legislation for any unintended consequences. We will keep you informed on any developments as the bill now travels to the Senate for consideration.

**Brand Inspection and Brand Board Bills**

House Bill 1145 made its way to the Governor’s desk for her signature this week. House Bill 1145 is the product of numerous stakeholder meetings throughout 2023. The meetings were held by the Department of Agriculture and Natural Resources and included interested stakeholders such as Farm Bureau, Farmer’s Union, SD Stockgrowers, SD Cattlemen and the Brand Board. Each entity testified to support the following changes to the brand inspection program.

- Allow an inspection on a conveyance for less than five head of livestock.
- Allow horse inspections to be valid for 30 days.
- Lower the penalty for exiting the inspection area from a class 1 misdemeanor to a class 2 misdemeanor.

The House Agriculture and Natural Resources committee heard HB 1252 on Thursday. HB 1252 attempted to restructure the brand board and to adjust the nominating process. Prior to its introduction, an ad-hoc group of which SDFB was a member, was meeting to bring together key stakeholders to learn about brand board operations, identify areas for improvement, and recommend legislative changes. The group identified key changes in the form of HB 1145, which is on its way to the Governor’s desk for her signature. Therefore, SDFB, SD Cattlemen’s, Department of Agriculture and Natural Resources, and the Brand Board opposed the legislation for the following reasons:
- The proposed changes in HB 1252 as amended were not discussed during the ad-hoc meetings, nor were they shared with the ad-hoc group prior to the filing of the bill.
- HB 1252 would have removed the entire brand board on December 31, 2024. Removing this institutional knowledge hurts livestock owners.
- The bill is unnecessary. Agricultural groups and interested individuals already hold the right to nominate individuals to the Governor for consideration.

HB 1252 was successfully defeated in committee on an 8-5 vote.

**Carbon Dioxide Pipeline Discussions Continue**

The House Commerce and Energy committee has completed its second round of pipeline/ eminent domain bills. After five hours of testimony, the committee defeated all five bills. One bill (HB 1219) has been “smoked out” by the House, which means the committee was required to send it to the floor. A vote is now required to determine whether to calendar the bill before it can be debated. SDFB will continue to watch this piece of legislation.

Three other bills of importance in the pipeline conversation are HB 1185, HB 1186, and SB 201. HB 1185 and 1186, which passed the House of Representatives last week, have been referred to the Senate Commerce and Energy Committee. SDFB will continue to lobby for their support. SB 201 would establish requirements for a linear transmission facility and would allow counties to impose a surcharge on pipeline companies. The bill was significantly amended, then passed on a 7-2 vote. It will be considered by the full Senate next week. SDFB will continue to watch this bill and keep you updated on any developments.

**Ag Land Property Tax Adjustment Bill Fails**

SDFB, along with Department of Revenue, SD Corn Growers, SD Association of Conservation Districts, and SD Association of Cooperatives recently opposed House Bill 1208. House Bill 1208 mandated the county director of equalization to adjust (regardless of validity) a parcel of agricultural land based upon eight statutory criteria. Below are eight adjustments that can occur to alleviate disagreements in the agricultural land productivity system.

1. Location;
2. Size;
3. Soil survey statistics;
4. Terrain;
5. Topographical condition;
6. Climate;
7. Accessibility; or
8. Surface obstructions

State law allows a county director of equalization to adjust the taxable value of ag land based upon productivity. For example, an agricultural landowner can request the director of equalization to adjust his or her land from cropland to noncropland if the land cannot be farmed for one of the reasons above. Proponents of the bill argue HB 1208 forces assessors to do their job; however, state law already requires an assessor to make a determination of the request. Below are the three main reasons why SDFB is opposed to HB 1208.

- HB 1208 was unnecessary. If a landowner has a dispute over an adjustment, he or she may appeal the decision. The director of equalization is also currently required to document all the reasons for granting or denying an adjustment.
- The bill makes it unclear who is determining the validity of the adjustment and what criteria it is based on.
• The existing law is meant to be discretionary. Mandating adjustments creates inequities in a system and already provides the tools for the assessor to make fair and equitable adjustments under the productivity system.

SDFB and the other agricultural groups were successful in defeating HB 1208 on the House of Representatives floor on a vote of 25-44.

**SDFB Bill Tracker**
The SDFB bill tracking list is up and running. Check it out on the SDFB website. It gives you a quick look at the bills we are supporting, opposing, or just watching.

Below is a list of bills that SDFB is supporting, watching and opposing.

**Supporting:**
**HB 1135:** Expand definitions pertaining to the purchasing of grain.  
**Purpose:** This bill updates language related to the purchasing of grain and passed the House of Representatives. It will now travel to the Senate for consideration.

**HB 1065:** Make an appropriation for the design and construction of a multi-use building on the grounds of the State Fair and to declare an emergency.  
**Purpose:** This bill would allocate $8 million in other funds for The Shed building at the State Fair.

**SJR 502:** Providing legislative approval for a future use water permit application by the Lewis and Clark Regional Water System.  
**Purpose:** This joint resolution will allow for the approval of the Lewis and Clark Regional Water System to apply for an application for an appropriation of water in excess of 10 thousand acre-feet annually.

**SB 131:** Include shelterbelts as a factor affecting productivity in determining assessed value of agricultural land.  
**Purpose:** This bill would allow shelterbelts to be considered as a surface obstruction when making valuation adjustments.

**Watching:**
**SB 14:** Expand authorization for the conditional taking of coyotes from snowmobiles.  
**Purpose:** This bill would allow for a landowner, lessee, or guest to hunt coyotes from a snowmobile.

**SB 173:** Provide a landowner-on-own-land license for antlerless elk.  
**Purpose:** This bill would for a South Dakota resident landowner to receive an antlerless elk tag.

**HB 1231:** Place restrictions on the ownership of agricultural land.  
**Purpose:** This bill would add restrictions to South Dakota’s existing foreign ownership of agricultural land laws.

If you have any questions or comments, please contact the South Dakota Farm Bureau policy team.
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Helpful Links:
View the SDFB bill-tracker list here.

View the details on any bill by clicking this link and typing in the bill number:
2024 South Dakota Bills

Find contact information for the Legislators here:
2024 South Dakota Legislators

Legislative Cracker Barrels and Coffee:
Aberdeen Area
February 24, 10:00 am – Noon | Kessler’s Champion’s Club in the Barnett Center @NSU

Wessington Springs
February 16, 11:00 am CT | 201 Main St E, Wessington Springs, SD 57382

Corsica
February 17, 1:00 pm CT | American Legion, 175 E Main St, Corsica, SD 57328

Platte
February 17, 4:00 pm CT | Pizza Plus, 801 E 7th St, Platte, SD 57369

Huron
February 24, 9:00 am CT | Huron City Hall

Rapid City
February 17, 9:00 am MT | Western Dakota Tech Event Center
March 2, 9:00 am MT | Western Dakota Tech Event Center

Sioux Falls
February 17, Districts 9, 11 and 15, 9:30 am CT | Hamre Recital Hall (in the Humanities Building) on the Augustana University Campus.