Eight weeks of the 2024 Legislative session are complete, with four days remaining. Monday is the last day for a bill or resolution to pass both bodies. Yesterday, was the last day for a “smoke out” (have the floor deliver a bill that lost in committee). Tuesday and Wednesday of this coming week will be used for conference committees (compromise on differences by which a bill passed each side) and finish up the spending bills and the budget. The final budget bill for the fiscal year starting July 1, 2024, will be debated, and adopted next week.

Here are some bills of interest for your discussions over the weekend.

**Pipeline Conversations: HB 1185, HB 1186, and SB 201**

The big news of the week was the discussion over three bills pertaining to the carbon dioxide pipeline. The bills will determine the future of the carbon dioxide pipeline and private property rights. In an effort to address the issues surrounding landowners’ rights and project certainty, these bills were introduced by House and Senate leadership; however, each bill has been amended and the negotiations will begin.

**HB 1185**

HB 1185 is an effort to update South Dakota’s existing surveying law. The bill attempts to increase applicant/landowner communication, clarify landowner compensation, specify when and where a survey may be conducted, and the amount of time the survey will require. The original bill had $500 going to affected landowners of a survey. The amendment specified that the $500 only goes to surveys for carbon dioxide pipelines.

**HB 1186**

HB 1186 was originally designed to protect property rights by establishing minimum terms for carbon pipeline easements and securing a $1/linear foot annually for the landowners. The structure of the bill was comparable to what the Legislature established when wind and solar easement minimum terms were codified in the late 1990s. For example, the bill contained provisions that capped the easement and that a carbon pipeline easement is void if no permit has been granted by the Public Utilities Commission within five years after the effective date of the easement. The bill was amended to remove the cap on carbon dioxide pipeline easements and the $1/linear foot annually to landowners. Please contact your legislator over the weekend and encourage them to reinstate the original intent of the bill. Both HB 1185 and HB 1186 will now go down to the Senate Floor for consideration.

**SB 201**

The third bill pertaining to carbon dioxide pipelines is SB 201. SB 201 was heard in House Commerce and Energy as well as the House floor. The bill was created to establish requirements for linear transmission facilities and would allow counties to impose a surcharge on pipeline companies. Farm Bureau supported the bill, as amended, because it respected local governments that have reasonable and valid regulatory frameworks. The bill also provided landowner protections such as indemnification and liability for damages. The bill, as amended, ultimately passed the House of Representatives on a 40-30 vote and will now head to conference committee to sort out each chamber’s differences. Farm Bureau will continue to advocate for a bill that protects landowners and promotes local regulation that is responsible, fair, and based on sound date and that has legal jurisdiction.
**SJR 501: Medicaid Expansion Work Requirement**

The House of Representatives passed a joint resolution that would allow the State of South Dakota to impose a work requirement on able-bodied individuals who have not been diagnosed as being physically or mentally disabled. SDFB testified in support due to the belief that individuals who are able-bodied should be incentivized to work in the Medicaid expansion program. The joint resolution will now be presented to the voters on the 2024 ballot.

**State Fair Sheep Building**

A major win for the South Dakota State Fair and sheep producers took place this week. The Legislature passed House Bill 1065 as an effort to replace the Open Class Sheep Barn at the South Dakota State Fair. The Sheep Barn was demolished during the construction of The DEX. To replace the barn, there are efforts to build The Shed, a 40,000 square foot facility that will be used for open class sheep shows during the fair and serve as a multi-purpose facility during the off season. Specifically, the bill will provide $8 million to the Department of Agriculture and Natural Resources to build The SHED. The breakdown of funds includes $4 million in general funds and $4 million in other funds.

South Dakota Farm Bureau thanks both the Senate and the House of Representatives for passing HB 1065. It will now go to the Governor’s desk for her signature.

**SDFB Bill Tracker**

The SDFB bill tracking list is up and running. Check it out on the SDFB website. As in past years, 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.

**Watching:**

**SB 51:** Revise property tax levies for school districts and to revise the state aid to general and special education formulas.

**Purpose:** This bill is the state aid to education bill. It is one of the last bills to be acted on by the legislature every year. It sets the property tax levies to finance the 149 school districts in the state and revises the state aid formula.

**SB 52:** Revise the General Appropriations Act for fiscal year 2024.

**Purpose:** This bill updates last year’s general appropriation bill.

**SB 165:** Create the South Dakota-Ireland Trade Commission.

**Purpose:** This bill would work to advance bilateral trade and investment between South Dakota and Ireland.

If you have any questions or comments, please contact the South Dakota Farm Bureau policy team.

Matthew Bogue
SDFB State Public Policy Director
(605) 377-8833
[matthew@sdfbf.org](mailto:matthew@sdfbf.org)
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:
Rapid City
March 2, 9:00 am MT | Western Dakota Tech Event Center