



South Dakota's 85<sup>th</sup> Legislative Session  
Issue 1 January 22, 2010

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## REALTOR® R.E.C.A.P.

REALTORS® Examining Capitol Actions & Progress

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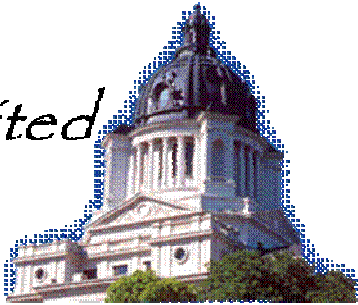
South Dakota Association of REALTORS®, Inc  
*The Voice for Real Estate™ in South Dakota*

This is the first issue of a weekly legislative update and summary of bills introduced that pertain to the business of real estate within the State of South Dakota. The distribution of the Legislative Briefs is sent to every REALTOR® member and board/association staff with a valid email address in the association's membership database.



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*You're  
Invited*



2010 LEGISLATOR APPRECIATION NIGHT

*Chili/Oyster Stew  
Supper & Cocktails*

Wednesday, February 3, 2010  
Ramkota River Center in Pierre  
6:00 ~ 8:00 pm

*Attire is Informal Please plan to attend!*

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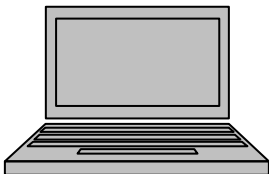
As South Dakota's 85<sup>th</sup> Legislative Session kicked off last week, it was hit the ground running and business as usual at the Statehouse with the state budget deficit at the heart of the legislative agenda.

SDAR's February Business meetings and Legislative Appreciation Night preparations are in full swing and we are hopeful for the mild winter weather return to South Dakota just in time for those members who plan to travel into Pierre. The meetings and events are scheduled for February 2<sup>nd</sup> & February 3<sup>rd</sup> culminating with the Annual Legislative Appreciation Night – Chili/Oyster Stew Feed.

A full agenda is planned for those in attendance and South Dakota is very fortunate to host Walt Witek, Senior Vice President of Community and Political Affairs of the National Association of REALTORS® in attendance. And as usual, SDAR's Lobbyist Dean Krogman will be on hand to provide a legislative update to the Government Affairs Committee and SDAR Board of Directors on the latest happenings at the State Capitol.

### To Track Legislative Activity Online

<http://legis.state.sd.us>



You can listen to live debates courtesy of South Dakota Public Broadcasting, monitor the status of all bills that have been introduced, check meeting schedules and agendas, read minutes, and find out how your legislator voted on specific bills.

## HOW TO CONTACT YOUR LEGISLATOR

### State Capitol Phone Numbers:

Senate Lobby: 605-773-3821  
House Lobby: 605-773-3851



### State Capitol FAX Number:

(Must be addressed to a specific legislator)  
Senate and House Lobby: 605-773-6806



### State Capitol Mailing Address:

Senator or Representative  
500 E. Capitol Ave.  
Pierre, SD 57501



### State Capitol e-mail Address:

(Select legislator's name from drop-down box)  
[e-mail Senator or Representative](#)



### Timeline for South Dakota's 85<sup>th</sup> Legislative Session:

January 12 <sup>th</sup>	Legislative Session Opens
January 26 <sup>th</sup>	Last day for unlimited bill and joint resolution introduction
January 28 <sup>th</sup>	All bill drafts with sponsors due back in LRC by 5 p.m.
February 1 <sup>st</sup>	Final day to introduce individual bills and joint resolutions
February 2 <sup>nd</sup>	Final day to introduce committee bills and joint resolutions

**For Your Information:** SDAR recognizes how quickly the status of a piece of legislation can change at the Capitol in a moments notice. Therefore, your Association provides for flexibility and empowerment of the SDAR Legislative Action Team to form positions on legislation in the event immediate action is required on behalf of the Association. The members of the 2010 SDAR Legislative Action Team are comprised of:

- ✓ State President Tom Rau
- ✓ SDAR Government Affairs Chair Linda Rausch
- ✓ SDAR Lobbyist Dean Krogman
- ✓ SDAR Executive Vice President Michelle Kleven

## Legislative Bill Tracking

### SDAR Position: Monitor





### Property Tax Assessment

<b>House Bill 1009</b>		
Representative <a href="#">Dennert</a> and Senators <a href="#">Hanson (Gary)</a> , <a href="#">Knudson</a> , and <a href="#">Rhoden</a> at the request of the Agricultural Land Assessment Implementation and Oversight Advisory Task Force		
revise certain provisions regarding the documentation of data used to make adjustments for factors that affect the capacity of the land to produce agricultural products during the assessment process.		
Keywords: <a href="#">Agriculture</a> , <a href="#">Assessment</a> , <a href="#">Taxes</a>		
Date	Action	
<a href="#">01/12/2010</a>	First read in House and referred to House Taxation H.J. 19	
<a href="#">01/19/2010</a>	Scheduled for hearing	
<a href="#">01/19/2010</a>	Taxation Deferred to the 41st legislative day, Passed, <a href="#">YEAS 11</a> , <a href="#">NAYS 0</a> . H.J. 106	

### Energy/Building Standards

<b>House Bill 1011</b>		
The Committee on <a href="#">State Affairs</a> at the request of the Bureau of Administration		
revise certain provisions related to high-performance green building standards.		

**Keywords:** [Energy](#), [Public Property](#), [Purchases and Contracts](#)

Date	Action	
<a href="#">01/12/2010</a>	First read in House and referred to House State Affairs H.J. 20	
<a href="#">01/20/2010</a>	Scheduled for hearing	
<a href="#">01/20/2010</a>	State Affairs Do Pass, Passed H.J. 134	
<a href="#">01/20/2010</a>	Placed on consent, Passed	
<a href="#">01/21/2010</a>	House of Representatives Do Pass, Passed, <a href="#">YEAS 68</a> , <a href="#">NAYS 1</a> . H.J. 149	




## Notary Public

**House Bill 1019**



The Committee on [Judiciary](#) at the request of the Office of the Secretary of State revise certain provisions regarding the requirements for notarizing documents.

**Keywords:** [Notary Public](#), [Oaths and Acknowledgments](#), [Secretary of State](#)

Date	Action	
<a href="#">01/12/2010</a>	First read in House and referred to House Judiciary H.J. 21	
<a href="#">01/20/2010</a>	Scheduled for hearing	
<a href="#">01/20/2010</a>	Deferred by Chair	
<a href="#">01/22/2010</a>	Scheduled for hearing	

## Register of Deeds Filing

**Senate Bill 79**



Senators [Rhoden](#) and [Tieszen](#) and Representatives [Conzet](#), [Brunner](#), [Deadrick](#), [Engels](#), [Kirkeby](#), [Lust](#), [Moser](#), [Rounds](#), and [Wink](#)

revise certain format requirements relating to real estate documents to be filed with the register of deeds.

Date	Action	
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## Local Government/Building Code Reference

**House Bill 1087**



Representatives [Verchio](#), [Brunner](#), [Jensen](#), [Kopp](#), and [Olson \(Betty\)](#) and Senators [Howie](#), [Maher](#), and [Schmidt](#)

provide criteria for enacting ordinances or amendments thereto that have a retrospective application and to repeal certain provisions related to the enforcement of ordinances.

**Keywords:** [Counties](#), [Local Government](#), [Municipality](#)

Date	Action	
<a href="#">01/20/2010</a>	First read in House and referred to House Local Government H.J. 137	
<a href="#">01/26/2010</a>	Scheduled for hearing	

**Senate Bill 68**



Senators [Gant](#) and [Miles](#) and Representatives [Kirkeby](#) and [Feickert](#)






update certain references to the building code.

**Keywords:** [Counties](#), [Local Government](#), [Municipality](#), [Planning, Zoning and Housing Programs](#)


Date	Action	
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<a href="#">01/20/2010</a>	First read in Senate and referred to Senate Commerce S.J. 95	
<a href="#">01/26/2010</a>	Scheduled for hearing	




## Licensure of Gaming Property Owners

<b>House Bill 1036</b>			
The Committee on <a href="#">State Affairs</a> at the request of the Department of Revenue and Regulation create a licensing category for the owners of property where licensed gaming is conducted in the city of Deadwood.			
Keywords: <a href="#">Department of Revenue and Regulation</a> , <a href="#">Fees</a> , <a href="#">Gaming</a> , <a href="#">Recreation and Sports</a>			
Date	Action		
<a href="#">01/12/2010</a>	First read in House and referred to House State Affairs H.J. 24		
<a href="#">01/15/2010</a>	Scheduled for hearing		
<a href="#">01/15/2010</a>	State Affairs Motion to amend, Passed		
<a href="#">01/15/2010</a>	State Affairs Do Pass Amended, Passed, <a href="#">YEAS 12</a> , <a href="#">NAYS 0</a> . H.J. 52		
<a href="#">01/20/2010</a>	House of Representatives Do Pass Amended, Passed, <a href="#">YEAS 69</a> , <a href="#">NAYS 0</a> . H.J. 139		
<a href="#">01/21/2010</a>	First read in Senate and referred to Senate State Affairs S.J. 110		


## State Contracts/Open Government

<b>Senate Bill 82</b>			
Senators <a href="#">Gant</a> , <a href="#">Abdallah</a> , <a href="#">Howie</a> , and <a href="#">Miles</a> and Representatives <a href="#">Hamiel</a> , <a href="#">Frerichs</a> , <a href="#">Gibson</a> , <a href="#">Moser</a> , <a href="#">Rounds</a> , and <a href="#">Russell</a>			
require certain state contracts to be displayed on a searchable internet website.			
Date	Action		



## Fire Code/Public Safety

<b>Senate Bill 15</b>			
The Committee on <a href="#">Commerce</a> at the request of the Department of Public Safety			
revise certain codes and standards regarding fire prevention.			
Keywords: <a href="#">Department of Public Safety</a> , <a href="#">Fire Code</a> , <a href="#">Public Health and Safety</a>			
Date	Action		
<a href="#">01/12/2010</a>	First read in Senate and referred to Senate Commerce S.J. 16		
<a href="#">01/21/2010</a>	Scheduled for hearing		
<a href="#">01/21/2010</a>	Commerce Do Pass, Passed, <a href="#">YEAS 7</a> , <a href="#">NAYS 0</a> . S.J. 103		
<a href="#">01/21/2010</a>	Placed on consent, Passed		

## Taxes



<b>Senate Bill 33</b>			
The Committee on <a href="#">Taxation</a> at the request of the Department of Revenue and Regulation			
revise certain provisions relating to delinquent tax accounts.			
Keywords: <a href="#">Department of Revenue and Regulation</a> , <a href="#">Taxes</a>			
Date	Action		
<a href="#">01/12/2010</a>	First read in Senate and referred to Senate Taxation S.J. 19		



<a href="#">01/20/2010</a>	Scheduled for hearing	
<a href="#">01/27/2010</a>	Scheduled for hearing	

<b>Senate Bill 78</b>			
Senators <a href="#">Gant</a> , <a href="#">Maher</a> , and <a href="#">Tieszen</a> and Representatives <a href="#">Kirkeby</a> and <a href="#">Vanderlinde</a>			
revise the total amount of revenue payable to municipalities from taxes on real property.			
Date	Action		
<a href="#">01/21/2010</a>	First read in Senate and referred to Senate Taxation S.J. 109		


## Sex Offender



The senate bills found in this section are a result of a 2009 Interim Legislative Study Committee who reviewed the sex offender registry statutes. SDAR has no position other than to monitor and track the legislation for changes to SDCL.




<b>House Bill 1076</b>			
The Committee on <a href="#">Judiciary</a> at the request of the Chief Justice			
repeal certain statutes related to the testimony of sex offense victims and to evidence of a victim's prior sexual conduct.			
Keywords: <a href="#">Chief Justice</a> , <a href="#">Courts and Judiciary</a> , <a href="#">Criminal Procedure</a> , <a href="#">Sex Offender</a>			
Date	Action		
<a href="#">01/19/2010</a>	First read in House and referred to House Judiciary H.J. 110		




<b>House Bill 1085</b>			
Representatives <a href="#">Steele</a> , <a href="#">Bolin</a> , <a href="#">Elliott</a> , <a href="#">Hamiel</a> , <a href="#">Hoffman</a> , <a href="#">Hunhoff (Bernie)</a> , <a href="#">Kopp</a> , <a href="#">Lederman</a> , <a href="#">Noem</a> , <a href="#">Olson (Betty)</a> , <a href="#">Schlekeway</a> , <a href="#">Solum</a> , <a href="#">Turbiville</a> , <a href="#">Van Gerpen</a> , <a href="#">Vanneman</a> , and <a href="#">Verchio</a> and Senators <a href="#">Abdallah</a> , <a href="#">Gray</a> , <a href="#">Novstrup (Al)</a> , and <a href="#">Rhoden</a>			
prohibit certain interaction between children and registered sex offenders at youth activities.			
Keywords: <a href="#">Crimes</a> , <a href="#">Minors</a> , <a href="#">Sex Offender</a>			
Date	Action		
<a href="#">01/20/2010</a>	First read in House and referred to House Judiciary H.J. 136		




<b>Senate Bill 5</b>			
Senators <a href="#">Abdallah</a> and <a href="#">Jerstad</a> and Representatives <a href="#">Gosch</a> , <a href="#">Engels</a> , <a href="#">Gibson</a> , and <a href="#">Sly</a> at the request of the Interim Sex Offender Registry Committee			
revise certain provisions relating to the registration of juvenile sex offenders.			
Keywords: <a href="#">Crimes</a> , <a href="#">Minors</a> , <a href="#">Sex Offender</a>			
Date	Action		
<a href="#">01/12/2010</a>	First read in Senate and referred to Senate Judiciary S.J. 14		
<a href="#">01/21/2010</a>	Scheduled for hearing		
<a href="#">01/26/2010</a>	Scheduled for hearing		

<b>Senate Bill 6</b>			
Senators <a href="#">Abdallah</a> and <a href="#">Jerstad</a> and Representatives <a href="#">Gosch</a> , <a href="#">Engels</a> , <a href="#">Gibson</a> , and <a href="#">Sly</a> at the request of the Interim Sex Offender Registry Committee			
revise the criteria for removal from the sex offender registry.			
Keywords: <a href="#">Crimes</a> , <a href="#">Sex Offender</a>			

Date	Action	
<a href="#">01/12/2010</a>	First read in Senate and referred to Senate Judiciary S.J. 14	
<a href="#">01/21/2010</a>	Scheduled for hearing	
<a href="#">01/26/2010</a>	Scheduled for hearing	




Senate Bill 7		
		
Senators <a href="#">Abdallah</a> and <a href="#">Jerstad</a> and Representatives <a href="#">Gosch</a> , <a href="#">Engels</a> , <a href="#">Gibson</a> , and <a href="#">Sly</a> at the request of the Interim Sex Offender Registry Committee		
permit certain sex offenders who are homeless or on parole to reside in certain halfway homes or homeless shelters within community safety zones.		
Keywords: <a href="#">Crimes</a> , <a href="#">Sex Offender</a>		
Date	Action	
<a href="#">01/12/2010</a>	First read in Senate and referred to Senate Judiciary S.J. 14	
<a href="#">01/21/2010</a>	Scheduled for hearing	
<a href="#">01/26/2010</a>	Scheduled for hearing	

Senate Bill 8		
		
Senators <a href="#">Abdallah</a> and <a href="#">Jerstad</a> and Representatives <a href="#">Gosch</a> , <a href="#">Engels</a> , <a href="#">Gibson</a> , and <a href="#">Sly</a> at the request of the Interim Sex Offender Registry Committee		
establish the application of certain statutes relating to the sex offender registry with regard to out-of-state offenders residing in the state of South Dakota.		
Keywords: <a href="#">Crimes</a> , <a href="#">Sex Offender</a>		
Date	Action	
<a href="#">01/12/2010</a>	First read in Senate and referred to Senate Judiciary S.J. 14	
<a href="#">01/21/2010</a>	Scheduled for hearing	
<a href="#">01/26/2010</a>	Scheduled for hearing	


Senate Bill 9		
		
Senators <a href="#">Abdallah</a> and <a href="#">Jerstad</a> and Representatives <a href="#">Gosch</a> , <a href="#">Engels</a> , <a href="#">Gibson</a> , and <a href="#">Sly</a> at the request of the Interim Sex Offender Registry Committee		
limit misdemeanor eligibility for registration on the sex offender registry.		
Keywords: <a href="#">Crimes</a> , <a href="#">Sex Offender</a>		
Date	Action	
<a href="#">01/12/2010</a>	First read in Senate and referred to Senate Judiciary S.J. 15	
<a href="#">01/21/2010</a>	Scheduled for hearing	
<a href="#">01/26/2010</a>	Scheduled for hearing	

Senate Bill 10		
		
Senators <a href="#">Abdallah</a> and <a href="#">Jerstad</a> and Representatives <a href="#">Gosch</a> , <a href="#">Engels</a> , <a href="#">Gibson</a> , and <a href="#">Sly</a> at the request of the Interim Sex Offender Registry Committee		
reduce the grace period for certain sex offender registry registrations.		
Keywords: <a href="#">Crimes</a> , <a href="#">Sex Offender</a>		
Date	Action	
<a href="#">01/12/2010</a>	First read in Senate and referred to Senate Judiciary S.J. 15	
<a href="#">01/21/2010</a>	Scheduled for hearing	
<a href="#">01/26/2010</a>	Scheduled for hearing	

Senate Bill 11		
		
Senators <a href="#">Abdallah</a> and <a href="#">Jerstad</a> and Representatives <a href="#">Gosch</a> , <a href="#">Engels</a> , <a href="#">Gibson</a> , and <a href="#">Sly</a> at the request of the Interim Sex Offender Registry Committee		
define solicitation of or conspiracy to commit certain crimes as registerable sex offenses.		
Keywords: <a href="#">Crimes</a> , <a href="#">Sex Offender</a>		
Date	Action	
<a href="#">01/12/2010</a>	First read in Senate and referred to Senate Judiciary S.J. 15	
<a href="#">01/21/2010</a>	Scheduled for hearing	
<a href="#">01/26/2010</a>	Scheduled for hearing	

Senate Bill 12		
		
Senators <a href="#">Abdallah</a> and <a href="#">Jerstad</a> and Representatives <a href="#">Gosch</a> , <a href="#">Engels</a> , <a href="#">Gibson</a> , and <a href="#">Sly</a> at the request of the Interim Sex Offender Registry Committee		
provide for a tiered sex offender registry and to establish certain criteria for eligibility to petition for removal or reassignment.		
Keywords: <a href="#">Crimes</a> , <a href="#">Sex Offender</a>		
Date	Action	
<a href="#">01/12/2010</a>	First read in Senate and referred to Senate Judiciary S.J. 15	
<a href="#">01/21/2010</a>	Scheduled for hearing	
<a href="#">01/26/2010</a>	Scheduled for hearing	

## Term Limits/Election

Senate Joint Resolution 2		
		
Senator <a href="#">Hansen (Tom)</a> and Representative <a href="#">Feinstein</a>		
Proposing and submitting to the electors at the next general election an amendment to Article III, section 6 of the Constitution of the State of South Dakota, relating to four-year legislative terms and term limits.		
Date	Action	