

SOUTH DAKOTA COUNSELING ASSOCIATION
Legislative Report – Week 2
January 22, 2022

Week 2 continued to be busy.

The Governor's bills are causing much consternation – all the education groups are opposing all of them – CRT, action civics, moment of silence, etc. The only thing education groups are currently supporting is the 6% increase in state aid, state employees, and providers. The Governor's bills do nothing to move education forward.

The Dept. of Education budget will be up in Joint Appropriations on Monday, Jan 24.

There will also be some bills to help the workforce shortage, mental health issues, and housing.

SENATE BILLS

SB 28 – Disqualify for life a person from driving a commercial vehicle who is convicted of a felony offense involving human trafficking – passed committee 6-0 and passed Senate 32-0 on consent

SB 46 – Gov's bill on fairness in women's sports (anti-transgender) – forces a girl to participate according to her birth certificate – all education groups plus various other groups opposed this bill. Bill passed Senate State Affairs Committee 8-1 and was amended to hold schools harmless – state has to defend any lawsuits and pay the damages. Passed Senate 26-7. Now moves to House and bill in House is more restrictive

SB 59 – Standard bill from Finance Office on state aid levies, teacher salary target, formula distribution, special ed categories and funding – will be decided at end of session

SB 71 – Tax credit bill for additional appropriation for private school scholarships – increases to \$3.5 million from \$2 million – passed committee, passed Senate 27-5

SB 72 – Establishes the crime of hazing in schools, colleges with penalty – hearing on 1/25 in Sen Judiciary

SB 77 – Enhance the penalty on registered sex offenders who commit sexual contact without consent from a person capable of consenting. Goes to a Class 6 felony

SB 81 – Revise the definition of sexual contact – rewords language – passed committee 6-0 and is on the Senate floor.

SB 82 – Revise the admissibility of certain statements made by person with developmental disabilities concerning certain crimes – hearing on 1/25

SB 83 – Modifies when a motion for expungement of an arrest record may be made – hearing on 1/25

SB 86 – Allows or changes to physical therapists – be licensed or be licensed under state compact

SB 94 – Education bill requesting Chairs of Sen Education and House Education Committees become members of state board of educational standards
SB 95 – Changes the time for review of Teacher Compensation report from every 3 years to 2 years and changes the term of appointment.

HOUSE BILLS

HB 1006 – Fairness in women’s sports – banning transgender girls from participation – same bill as last year – hasn’t been scheduled yet

HB 1008 – Bill allowing a cause of action if certain employees are required to receive a vaccination as a condition of employment – has emergency clause.

HB 1012 – Gov’s bill on Critical Race Theory – all education groups are opposing as this is not happening in SD.

HB 1015 – Gov’s bill on moment of silence – another non issue and some are talking about this as a moment of prayer –Bill was killed on Friday/sent to 41st day 9-6 but there is talk of smoking it to the floor of the House for a vote or introduce same bill in the Senate. A victory for education as this is not needed – can currently be done.

HB 1064 – Bill to direct DOE to use certain fall enrollment count to calculate state aid for districts that declined in enrollment for 2020 or 2021. They must use the higher enrollment, and this is for one year only due to pandemic. Federal dollars could be used for this. Bill may be withdrawn

HB 1026 – Prohibits eligibility for a suspended imposition of sentence for crime of rape – 1/25 hearing in House Jud

HB 1052 – Places limits on enforcement of federal laws related to guns and ammunition – we need to watch this as sponsor may try to change federal law on domestic violence or in schools – this bill needs to have an amendment as it affects Domestic Violence federal grants.

HB 1068 – Bill to clarify the processing of sexual assault kits performed on 16 & 17 year olds – still requires mandatory obligation in law – passed committee 12-0 and passed House 67-0 on consent

HB 1080 – Extending the teacher compensation meeting the salary level of 2017 – will be amended – there is no percentage of money going to teacher salaries as schools need flexibility to also raise salaries of non-certified personal and others – cooks, nurses, counselors, aids – hearing on 1/24 in House Educ Committee

HB 1094 – Revises medical marijuana for protection of youth – I am reviewing this

HB 1110 – Appointment of a guardian or special advocate for abused or neglected child – changing the shall to may – this is coming from UJS and I am reviewing this

HB 1111 – Referral of school board decisions – this is really a bad bill and will cause all kinds of issues.

All bills have to be in by January 31 so we will see many more bills in the coming weeks. If you have any questions or concerns on bills, let Rebecca know and she will contact me. Remember to stay in contact with your legislators – your input is important.