

January 29, 2019

How many bills have been introduced so far?

As of 8:49 Monday, January 28th there have been 175 bills filed in the House of Representatives and 146 bills filed in the Senate for a **total of 321**. This total does NOT include joint resolutions, commemorations, etc.

NOT DONE YET - There are several more days for bills to be introduced. Here is the historical comparison of bills for the past 11 years:

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Getting the Workforce to Work

[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=117&Session=2019] **SB 117**
Sen. Nesiba (D-Sioux Falls) - **authorize other languages to be used in the process of issuing certain driver licenses and permits.**

The effort to help legal immigrants who speak Spanish study for and take the driver's examination has a bill number (SB 117) and has been assigned to the Senate Transportation Committee for its hearing and initial action.

The South Dakota Chamber of Commerce and Industry is part of a coalition that includes the Sioux Falls Area Chamber of Commerce, Rapid City Area Chamber of Commerce, Associated General Contractors (AGC), Avera Health Systems and other employers.

The issue is straight forward. There is a shortage of workers and Spanish speaking people can fill many of the jobs that are looking for workers. Legal immigrants need to get to work and they need a driver's license. If they can study for and take that exam and use an interpreter to take the driving part of the test, they will learn to be safe drivers. When they are working every day, they will learn English faster than if sitting at home.

SB 117 gives the Department of Transportation ample time to get an official translation and will cost an estimated \$60-70,000.

This will take a show of interest from businesses back home. Here is the list of the members of the

[https://sdlegislature.gov/Legislative_Session/Committees/Default.aspx?Committee=415&Session=2019&tab=Detail&document=none#Detail] Senate Transportation Committee:

Senators:

- Blare, Rocky (R) Ideal
- Foster, Red Dawn (D) Pine Ridge
- Monroe, Jeff (R) Pierre
- Otten, Ernie (R) Tea

- Russell, Lance (R) Hot Springs
- Soholt, Deb (R) Sioux Falls
- Solano, Alan (R) Rapid City

Notes from home will be key to this bill's future. You can use the email links on the Legislative Research Council's website: [<https://sdlegislature.gov/>]<https://sdlegislature.gov> or you can send a quick note addressed to one of the Senators above via fax to the Chamber's office (605) 224-7198. Your note can simply say that you think SB 117 is important and should be approved.

Guns in Trunks is Back – And It's Worse Than Ever!

HB 1173 Rep. Jensen (Kevin) (R) Canton - An Act to permit the possession of firearms by certain employees.

Here we go again. HB 1173 renews the clash between property rights and second amendment rights. As with previous versions of this idea, HB 1173 says employees can have guns locked in their vehicles on company property - even if the business has a policy of not allowing firearms anywhere on their property or in their buildings.

Many manufacturers that do work for the Federal Government (even if they don't sell directly to the government but sell to other manufacturers that supply material to Uncle Sam) are required by the conditions of those contracts to have a "no firearms" policy. This policy requirement can also apply to construction sites and medical facilities. Even if not compelled by government edict, some businesses simply don't want guns around their property.

HB 1173 not only strips the owners of businesses from keeping firearms off their property, it protects employees who bring firearms to work in their vehicles, protects them from being fired if and when they do and extends their right to use the weapons in self-defense. It doesn't address what should happen when someone thinks they are being attacked and opens fire on their co-workers only to find out it was the lunch-time soccer game running after the ball.

In an odd turn of conditions, the bill exempts "**any property under federal jurisdiction, any school district, any correctional facility, the South Dakota Human Services Center, or the South Dakota Developmental Center**". So, the sponsors of HB 1173 aren't trying to override everyone's private property rights, just those of private businesses and most of the state buildings.

Here is the HTML version of the bill – you will read the words "NEW SECTION" which means everything in that section is new law (and not underlined when bills make amendments).

**FOR AN ACT ENTITLED, An Act to permit the possession of firearms by certain employees.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:**

Section 1. That chapter 22-14 be amended by adding a NEW SECTION to read:

An employer, whether public or private, may not:

(1) Prohibit an employee from keeping a legally owned and lawfully possessed firearm locked inside a private motor vehicle in a parking lot under the employer's control;

- (2) Make a verbal or written inquiry of an employee regarding the presence of a firearm inside a private motor vehicle that is in a parking lot under the employer's control;
- (3) Search the private motor vehicle of an employee to ascertain the presence of a firearm;
- (4) Take any action against an employee based upon verbal or written statements by any other person regarding the possession of a firearm in accordance with this section;
- (5) Condition employment upon the fact that an employee or a prospective employee holds or does not hold a permit to carry a concealed weapon;
- (6) Condition employment upon any agreement that prohibits an employee or a prospective employee from keeping a legally owned and lawfully possessed firearm locked inside a private motor vehicle in a parking lot under the control of the employer;
- (7) Prohibit or attempt to prevent an employee from entering a parking lot under the control of the employer because the employee's private motor vehicle contains a legally owned and lawfully possessed firearm; or
- (8) Terminate the employment of or otherwise discriminate against an employee for exercising the constitutional right to keep and bear firearms or for exercising the right of self-defense, so long as the firearm is not exhibited on the employer's property for any reason other than lawful defensive purposes.

The prohibitions of this section do not apply to any property under federal jurisdiction, any school district, any correctional facility, the South Dakota Human Services Center, or the South Dakota Developmental Center.

The Chamber will be opposing HB 1173.

Updates on this and other issues will be part of the discussion during Business Day at the Legislature. [<https://business.sdchamber.biz/events/details/business-day-at-the-legislature-77>] Register today **and add your voice.**

Here is partial list of bills that are being tracked by the South Dakota Chamber of Commerce and Industry.

Bill	Title	
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1040&Session=2019] HB 1040	establish certain provisions regarding the opportunity scholarship program.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1041&Session=2019] HB 1041	provide for the carrying of a concealed pistol without a permit.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1050&Session=2019] HB 1050	revise certain provisions regarding the use and possession of scanning devices and reencoders.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1051&Session=2019] HB 1051	establish the South Dakota state seal of civics literacy program.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1056&Session=2019] HB 1056	prohibit certain local ordinances regarding firearms.

Bill	Title	
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1066&Session=2019] HB 1066	require students to take a civics test before graduating from high school.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1074&Session=2019] HB 1074	provide a privilege for journalists and newscasters regarding refusal to disclose information.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1102&Session=2019] HB 1102	establish certain provisions regarding fairness in repairs of equipment sold or used in this state.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1103&Session=2019] HB 1103	establish a lemon law for certain farm machinery.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1111&Session=2019] HB 1111	provide for professional or occupational licensure for certain active duty military

Bill I	Title	
		personnel and spouses.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1118&Session=2019] HB 1118	revise provisions regarding excise taxes on the purchase price of motor vehicles.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1125&Session=2019] HB 1125	create a property tax relief fund and to provide for the transfer of certain unobligated cash balances.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1139&Session=2019] HB 1139	repeal provisions regarding maximum taxes levied by a school district for capital outlay.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1165&Session=2019] HB 1165	establish the South Dakota prepaid college

Bill I	Title	
		program and to make an appropriation therefor.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=1173&Session=2019] HB 1173	permit the possession of firearms by certain employees.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=9&Session=2019] SB 9	provide for the Servicemember Firearms Protection Act.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=12&Session=2019] SB 12	revise certain provisions pertaining to the disqualification of commercial driver license holders for failure to consent to chemical analyses.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=36&Session=2019] SB 36	revise the membership of the State Workers' Compensation Advisory Council.

Bill I	Title	
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=37&Session=2019] SB 37	revise certain provisions regarding association health plans.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=38&Session=2019] SB 38	provide for the carrying of a concealed pistol without a permit.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=47&Session=2019] SB 47	repeal and revise certain provisions regarding permits to carry a concealed pistol.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=49&Session=2019] SB 49	declare void the transgender procedure adopted by the South Dakota High School Activities Association and to establish a determinant in identifying a student's sexual identity for the purpose

Bill I	Title	
		of participation in high school athletics.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=50&Session=2019] SB 50	remove restrictions regarding the carrying of a concealed weapon in the state capitol by permit holders.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=59&Session=2019] SB 59	revise certain provisions regarding public records.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=86&Session=2019] SB 86	provide for calculations of sales tax revenues from sellers located outside of the state.
	[https://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=101&Session=2019] SB 101	establish certain provisions regarding out-of-state businesses that provide disaster or

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		emergency related work.

Thank you for your support of the South Dakota Chamber of Commerce & Industry. Join our [https://www.facebook.com/South-Dakota-Chamber-of-Commerce-and-Industry-1835561999906589/?modal=admin_todo_tour]Facebook page.