

Joint Rules of the South Dakota Legislature



Division of the Question

5-9. Division of the question. Any member may call for a division of the question. The presiding officer shall divide the question if it contains questions so distinct that, one being taken away, the rest may stand as a separate proposition. ~~A motion for division of the question is not in order on a bill which is before either house for final disposition.~~ A member may not call for the division of a bill.

7-27. Division of the question. Any member may call for a division of the question. The chair shall divide the question if it contains questions so distinct that, one being taken away, the rest may stand as a separate proposition. A member may not call for the division of a bill.

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Withdrawal of Bills

6B-1.1 Withdrawal of bills. The provisions of 6B-1 and 6D-1 notwithstanding, ~~prior to the first committee hearing in the house of origin,~~ the prime sponsor of any bill or resolution may withdraw any bill or resolution in the house of origin with the approval of the presiding officer prior to the bill or resolution being posted on an agenda for a committee hearing. The presiding officer shall then declare the bill or resolution formally withdrawn and shall order that an entry be made in the bill status so stating.

Electronic Committee Testimony

7-28. Committee procedure - Remote electronic testimony. During any regular or special session of the Legislature, a committee chair may, ~~upon the unanimous consent of the members present,~~ permit a person to appear from a remote site and give testimony before the committee by ~~electronic audio/video~~ audio or video means.

Permissible Committee Motions

7-16. Motions. When a question is under debate, no motion may be made except the following motions:

- (1) Adjourn;
- (2) Recess;
- (3) Call the previous question;
- (4) Lay on the table;
- (5) Defer to a day certain beyond the end of the session;
- (6) Do pass;
- (7) Do pass, amended;
- (8) Do not pass;
- (9) Do not pass, amended;
- ~~(9)~~ (10) Without recommendation;
- (11) Without recommendation, amended;
- ~~(10)~~ (12) Defer to a day certain;
- ~~(11)~~ (13) Refer to another committee;
- (14) Refer to another committee, amended
- ~~(12)~~ (15) Amend;
- (16) Approve or amend minutes; and
- ~~(13)~~ (17) Appoint a subcommittee.

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4 **Minority & Dissenting Reports**
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6 **1-10. Dissent against an act or resolution.** Any two members of a house may dissent or protest in respectful
7 language against any act or resolution which they think injurious to the public or to any individual. ~~and have the~~
8 The reason for their dissent or protest shall be presented to the house and entered upon the subsequent legislative
9 day's journal. However, if an objection is made any member objects prior to adjournment on the subsequent
10 legislative day that the language of the dissent or protest is not respectful, and a majority of the house agrees, the
11 house may refer the dissent or protest back to the dissenting or protesting members for emendation.
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13 **7-4. Dissenting reports.** If the members of a committee cannot agree on its report, the majority and minority may
14 each make a report. Any member dissenting in whole or in part from the reasoning and conclusions of both majority
15 and minority may also present a statement of the member's reasoning and conclusions. All reports ~~must~~ shall be
16 entered in the journal if found by the presiding officer to be decorous in language and respectful to the house and
17 ~~shall be entered in the journal.~~
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3 **Prison and Jail Population Cost Estimates**
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5 **6C-1. Bills and resolutions that require fiscal notes.** A bill, amendment, or resolution that has an effect on the
6 revenues, expenditures, or fiscal liability of the state or any political subdivision of the state may include a fiscal
7 note incorporating an estimate of the effect. This rule does not apply to the cost of legislative processing, or any
8 appropriation bill with specific dollar amounts. A fiscal note is an estimate of the fiscal implications relating to
9 revenues, expenditures or debt, and the probable cost of the bill, amendment, or resolution. In preparing the fiscal
10 note, the Director of the Legislative Research Council may use information or data supplied by any person, agency,
11 organization, or governmental unit that the director deems reliable. The director shall state the sources of the
12 information or data used and may state the extent to which the director relied on the information or data in
13 preparing the fiscal note. If the director is unable to acquire or develop sufficient information or data to prepare a
14 fiscal note, the director may prepare the fiscal note stating that fact, and the fiscal note shall be deemed to comply
15 with this rule. If the director determines that the fiscal impact of a bill, amendment, or resolution cannot be
16 determined, the director may prepare the fiscal note stating that fact, and the fiscal note shall be deemed to comply
17 with this rule.

18 This rule does not apply to prison or jail population cost estimates required by §§ ~~2-1-19 and 2-1-20~~ 2-9-33 and 2-
19 9-34.
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21 **6C-1.3. Prison or jail population cost estimates.** A prison or jail population cost estimate may be requested
22 pursuant to Joint Rule 6C-1.1 for any bill or amendment with a Class 1 misdemeanor penalty that may impact the
23 state prison or county jail population. The cost estimate shall be prepared pursuant to §§ ~~2-1-19 and 2-1-20~~ 2-9-33
24 and 2-9-34.
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26 **Selection of Revenue Target Date**
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28 **7-11.1 Selection of revenue targets.** The Joint Appropriations shall select general fund revenue targets for the
29 current and next fiscal years by February ~~15th~~ 10th for the purpose of setting appropriations. The Committee may
30 subsequently adjust the general fund revenue targets.
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