

1 **JOINT RULES OF THE SOUTH DAKOTA LEGISLATURE**

2 **Cell Phone Usage**

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4 **1A-9. Cellular telephones ~~prohibited~~.** Cellular telephones may not be used in either chamber or gallery
5 while the Legislature is in session, except for silent functions that do not distract others.

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1 **Prison & Jail Population Cost Estimates for Class 1 Misdemeanors**

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3 **6C-1.1. Request for fiscal note or prison or jail population cost estimate by any member.** A fiscal note or
4 prison or jail population cost estimate may be requested by:

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6 (1) The presiding officer when a bill, amendment, or resolution is introduced;
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8 (2) The chair of the standing committee possessing the bill, amendment, or resolution;
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10 (3) A majority vote of the standing committee possessing the bill, amendment, or resolution; or
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12 (4) A legislator, if the legislator is supported by a vote of one-fifth of the body before the second
13 reading of the bill or resolution.

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15 *****New Section*****

16 **6C-1.3. Prison or jail population cost estimates.** A prison or jail population cost estimate may be requested
17 pursuant to Joint Rule 6C-1.1 for any bill or amendment with a Class 1 misdemeanor penalty that may
18 impact the state prison or county jail population. The cost estimate shall be prepared pursuant to §§ 2-1-19
19 and 2-1-20.

1 **Additional Bills to be Considered by Joint Committee on Appropriations**

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3 **6D-1. Referral of bills and resolutions to standing committees.** Unless otherwise ordered, each bill or joint
4 resolution shall be referred to a standing committee after its first reading.

5 If any member introduces an appropriation bill, the bill shall be referred directly to a standing committee. If
6 any Committee on Appropriations introduces an appropriation bill, the presiding officer of the house of
7 origin may waive referral to a standing committee. ~~If an appropriation a~~ bill has received final disposition
8 from the Joint Committee on Appropriations, the presiding officer may waive the referral of the bill to a
9 standing committee.

10 For the purposes of the Joint Rules, an appropriation bill is any bill that appropriates money from public
11 funds and that appropriation is expressed in the title of the bill.

12 The presiding officer may waive the referral of concurrent resolutions to a standing committee. A copy of
13 any concurrent resolution shall be posted to the Legislative Research Council internet site before the
14 resolution is acted upon.

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16 **7-12. Joint committee on appropriations.** The Joint Committee on Appropriations, consisting of the Senate
17 and House Committees on Appropriations, is deemed to be a standing committee of the Senate and House
18 of Representatives for the limited purposes of hearing agency or other budget presentations, and
19 introducing, hearing, or acting on appropriations bills that authorize the sale of state property, appropriate
20 money, or adjust school district property tax levies pursuant to an appropriations bill. All Joint Committee
21 on Appropriations action shall be approved by a majority vote of the Joint Committee unless a member
22 calls for a separate vote of the House Committee on Appropriations and the Senate Committee on
23 Appropriations in which case a majority vote of each committee is required to adopt the action.

24 Each agenda for the Joint Committee on Appropriations shall be approved by the chair of the Senate
25 Committee on Appropriations and the chair of the House Committee on Appropriations. The respective vice
26 chair of each committee may sign in the absence of the chair.

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28 **17-1. Exceptions to deadlines for appropriation bills.** Any general appropriation bill and any bill that
29 adjusts school district property tax levies pursuant to an appropriations bill is not subject to the legislative
30 deadlines of C, E, F, I, J, and K, in this chapter, except that the general appropriation bill requested by the
31 Governor shall be subject to legislative deadline C.

32 Any ~~appropriation~~ bill that is not a general appropriation bill, which is referred to or reported to the floor by
33 the ~~House Appropriations, the Senate Appropriations or the~~ Joint Committee on Appropriations, is subject
34 to the following legislative deadlines, in lieu of the legislative deadlines of E and F, in this chapter:

- 35 (1) Last day to move required delivery of bills by a committee to the house of origin: 31st Day;
36 (2) Last day to pass bills by the house of origin: 32nd Day.

1 **Sen. Nelson Proposal**

2 ***** New Section *****

3 **Sexual Contact**

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5 **1B-3.1 Sexual contact prohibited.** No legislator or legislative employee may have sexual contact with any
6 legislative intern or page, and no legislative intern may have sexual contact with a page. Any violation shall
7 be reported within 2 hours of violation or knowledge, as follows:

8 (1) For a member of the Senate, a written report to the Senate president pro tempore, and the majority
9 and minority leaders of the Senate;

10 (2) For a member of the House of Representatives, a written report to the speaker of the House, and the
11 majority and minority leaders of the House of Representatives;

12 (3) For a Legislative Research Council employee, a written report to the Director of the Legislative Research
13 Council and the Executive Committee of the Executive Board;

14 (4) For an employee or legislative intern of the Senate, a written report to the Senate president pro
15 tempore, the majority and minority leaders of the Senate, and the Director of the Legislative Research
16 Council; and

17 (5) For an employee or legislative intern of the House of Representatives, a written report to the speaker of
18 the House, the majority and minority leaders of the House of Representatives, and the Director of the
19 Legislative Research Council.

20 If a select committee on discipline and expulsion determines a member violated this section, it shall
21 demand expulsion of the member in its committee report and the intern or page shall be dismissed from
22 service.

1 **Rep. Mickelson Proposal**

2 ***** New Section *****

3 **Sexual Contact**

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5 **Rep. Mickelson proposal:**

6 **1B-3.1 Prohibited contact.** A member of the Legislature may not have sexual contact with any legislative
7 intern or page. A member of the Legislature may not have sexual contact with any other legislative
8 employee unless the legislative employee is the legislator’s spouse. A legislator with firsthand knowledge
9 of a violation of this section shall report the violation in writing to the president pro tempore of the Senate
10 if the violation was committed by a member of the Senate, or the speaker of the House if the violation was
11 committed by a member of the House of Representatives. Failure to report firsthand knowledge of a
12 violation of this section, or falsely reporting a violation of this section, is a violation of Joint Rule 1B-1. The
13 provisions of this section apply only to prohibited sexual contact occurring during the previous five (5)
14 years.

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16 **Sexual Harrassment**

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18 **3-7. Sexual harassment prohibited.** All employees are responsible for ensuring that the workplace is free
19 from sexual harassment. All employees shall avoid any action or conduct which could be viewed as sexual
20 harassment. An employee shall report any sexual harassment complaint within one year of its occurrence.
21 Such complaints may be reported to:

- 22 (1) ~~the~~ The president pro tempore of the Senate, in the case of a Senate employee;
23 (2) The speaker of the House, in the case of a House employee;
24 (3) Any legislator who supervises House or Senate employees, respectively;
25 (4) A majority or minority party legislative secretary; or
26 (5) The Legislative Research Council Director, Deputy Director, or intern coordinators.

27 Any complaints received pursuant to (3), (4), or (5) shall be reported promptly, in writing, by the recipient
28 of the complaint to the president pro tempore of the Senate or the speaker of the House, respectively ~~or~~
29 any supervisor. If the situation is not resolved, the employee shall forward the complaint to the Executive
30 Board of the Legislative Research Council. The provisions of this section apply only to complaints which are
31 made on a timely basis under the provisions of this section.

