

**House Democratic Caucus Special Session
Bill List**

Summer Session, 2022

Table of Contents

HB 1001: HB 1001: An act to allow the performance of abortions for victims of rape and/or incest

HB 1002: An act to provide property tax relief for childcare providers

HB 1003: An act to provide continuous funding for domestic violence support and rehabilitation and to make an appropriation

HB 1004: An act to establish the Early Learning Advisory Council

HB 1005: An act to establish informed consent for pregnant minors

HB 1006: An act to expand Medicaid coverage for pregnant mothers

HB 1007: An act provide a partial property tax exemption for foster care providers

HB 1001: An act to allow the performance of abortions for victims of rape and/or incest

Section 1: That section [22-17-5.1](#) be amended:

Any person who administers to any pregnant female or who prescribes or procures for any pregnant female any medicine, drug, or substance or uses or employs any instrument or other means with intent thereby to procure an abortion, unless the pregnancy is the product of rape and/or incest, or there is appropriate and reasonable medical judgment that performance of an abortion is necessary to preserve the life of the pregnant female, is guilty of a Class 6 felony. (Section 7 of SL 2005, ch 187, as amended by SL 2005, ch 188, § 1, provides: "This Act is effective on the date that the states are recognized by the United States Supreme Court to have the authority to prohibit abortion at all stages of pregnancy.")

HB 1002: An act to provide property tax relief for childcare providers

Section 1. That a NEW SECTION be added to title 10:

Except as otherwise provided in this section, an owner of a property used for the purposes of family day care as defined in § 26-6-14.1, and registered pursuant to § 26-6-14.2, are entitled to a two percent reduction in the total assessed value of that property for every child cared for or supervised on a regular basis in that year, up to a maximum reduction in the total assessed value of twenty percent.

An owner of a property used for the purposes of family day care is not entitled to a reduction in the total assessed value of that property if the number of children cared for or supervised on a regular basis in that year is less than four.

An owner of a property used for the purposes of family day care is not entitled to a reduction in the total assessed value of that property if the person has previously been granted a reduction in the total assessed value of that property pursuant to this Act three separate times.

Section 2. That a NEW SECTION be added to title 10:

The application for the reduction of assessed value provided under this chapter must be annually submitted by April first on forms prescribed by the secretary of revenue. The form must be made available to the county treasurer who shall, upon request of an applicant, assist the applicant in completing the form. The property owner shall sign the certificate under penalty of perjury.

Section 3. That a NEW SECTION be added to title 10:

Application for the reduction of assessed value must include a registration certificate issued pursuant to § 26-6-14.2, and documentary evidence the county treasurer deems necessary to assure validity of the claim, and to determine the size of the reduction of assessed value.

Section 4. That a NEW SECTION be added to title 10:

The county treasurer shall determine whether an applicant seeking the reduction of assessed value is qualified. The county treasurer shall determine the size of the reduction of assessed value for which the property owner qualifies.

The county treasurer shall certify the eligibility of each applicant to the county director of equalization of the county in which the property is located.

Section 5. That a NEW SECTION be added to title 10:

Any person aggrieved by the denial in whole or in part of relief claimed pursuant to this chapter may, within thirty days after receiving notice of such denial by the county treasurer, demand and must receive a hearing, upon notice, before the secretary on the question. The hearing must be conducted and appeals allowed in the manner specified in chapter 1-26.

Section 6. That a NEW SECTION be added to title 10:

Any person who receives a reduction in value due to false application for the reduction of assessed value by misrepresenting the facts as to the person's ownership or use of the property must be assessed the amount of tax reduction received pursuant to this chapter. The assessment is a perpetual lien on the property pursuant to § 10-21-33. The person is barred from receiving the reduction of assessed value on any property in the state for the following three years.

HB 1003: An act to provide continuous funding for domestic violence support and rehabilitation and to make an appropriation

Section 1. That chapter 1-51 be amended with a NEW SECTION:

There is hereby appropriated from the necessary funds for the purpose of providing grants through the families first grant program, as defined in SDCL 1-51. The fund is continuously appropriated to the Department of Public Safety for these purposes.

HB 1004: An act to establish the Early Learning Advisory Council

Section 1. That a NEW SECTION be added:

13-1-67. Early Learning Advisory Council--Establishment.

There is hereby established the Early Learning Advisory Council consisting of twelve members appointed by the Governor. The council is established pursuant to the Improving Head Start for School Readiness Act of 2007, as amended to January 1, 2012.

Section 2. That a NEW SECTION be added:

13-1-68. Early Learning Advisory Council--Membership.

The Governor shall appoint members to the Early Learning Advisory Council who have leadership in early childhood learning, and training, experience, or special knowledge of early childhood education and care. The appointees shall include:

- (1) A representative of the Department of Social Services;
- (2) A representative of the Department of Education;
- (3) A representative of a local education agency;
- (4) A representative of an institution of higher education in the state that offers a degree program in early childhood education or a related field;
- (5) A representative of local providers of early childhood education and development services;
- (6) A representative from Tribal Head Start programs;
- (7) A representative of Head Start collaboration;
- (8) A representative of the Department of Health;
- (9) Two parents of a child under the age of six; and
- (10) Representatives of other entities determined to be relevant by the Governor, including those with knowledge and experience in workforce development.

Section 3. That a NEW SECTION be added:

13-1-69. Early Learning Advisory Council--Duties.

The council shall:

- (1) Conduct an annual statewide needs assessment concerning the quality and availability of early childhood education and development programs and services for children from birth to age five, including an assessment of the availability of early childhood education and development programs and services from birth to school entry, and for low-income children in the state;
- (2) Identify opportunities for, and barriers to, collaboration and coordination among existing child development, child care, private child care providers, and early childhood education programs, development programs and services, including collaboration and coordination among the state agencies responsible for administering the various programs;
- (3) Develop a report including recommendations for increasing participation of all South Dakota children in existing or additional early childhood education programs, including outreach to underrepresented and special populations;
- (4) Identify potential new funding sources that the state or other entities could use to increase early learning or childhood development opportunities available to children in the state;
- (5) Develop recommendations on statewide professional development and career advancement plans for early childhood education;
- (6) Assess the capacity and effectiveness of institutions of higher education supporting the development of early childhood education; and
- (7) Facilitate the development or enhancement of high-quality systems of early learning across the state.

Section 4. That a NEW SECTION be added:

13-1-70. Early Learning Advisory Council--Staff service and expenses.

All staff services required by the council shall be provided by the Department of Education, and all expenses incurred in carrying out the work of the council, including the per diem for council members who are not state employees and travel expenses shall be paid out of funds appropriated or otherwise provided to the Department of Education.

Section 5. That a NEW SECTION be added:

13-1-71. Early Learning Advisory Council--Report.

The council shall report the council findings and recommendations to the Legislature. The report shall also be available to the public.

HB 1005: An act to establish informed consent for pregnant minors

Section 1. That chapter 26-1 be amended with a NEW SECTION:

A pregnant minor who has the mental capacity to consent may provide informed consent for any medical or dental procedure or service, including hospitalization and surgery, related to the minor's prenatal care, the delivery process, or postnatal care, if:

(1) The health care provider first makes a reasonable effort to obtain consent from the minor's parent or guardian; and

(2) The minor's parent or guardian is either unavailable or unreasonably withholds consent.

This section does not apply to an emancipated minor, as defined in § 25-5-24, nor to any consent required prior to an abortion, as set forth in chapter 34-23A.

HB 1006: An act to expand Medicaid coverage for pregnant mothers

Section 1. That chapter 34-24 be amended with a NEW SECTION:

A pregnant woman qualifying for limited or full coverage under Medicaid, as defined in 34-24-24, qualifies for said coverage up to 180 days following the end of the pregnancy.

HB 1007: An act provide a partial property tax exemption for foster care providers

Section 1. That a NEW SECTION be added to title 10:

Except as otherwise provided in this section, an owner of a property used for the purposes of foster care is entitled to a two percent reduction in the total assessed value of that property for every child cared for or supervised on a regular basis in that year, up to a maximum reduction in the total assessed value of ten percent. An owner of a property used for the purposes of foster care is not entitled to a reduction in the total assessed value of that property if the person has previously been granted a reduction in the total assessed value of that property pursuant to this Act three separate times.

Section 2. That a NEW SECTION be added to title 10:

The application for the reduction of assessed value provided under this chapter must be annually submitted by April first on forms prescribed by the secretary of revenue. The form must be made available to the county treasurer who shall, upon request of an applicant, assist the applicant in completing the form. The property owner shall sign the certificate under penalty of perjury.

Section 3. That a NEW SECTION be added to title 10:

Application for the reduction of assessed value must include a registration certificate issued pursuant to § 26-6-14.2, and documentary evidence the county treasurer deems necessary to assure validity of the claim, and to determine the size of the reduction of assessed value.

Section 4. That a NEW SECTION be added to title 10:

The county treasurer shall determine whether an applicant seeking the reduction of assessed value is qualified. The county treasurer shall determine the size of the reduction of assessed value for which the property owner qualifies. The county treasurer shall certify the eligibility of each applicant to the county director of equalization of the county in which the property is located.

Section 5. That a NEW SECTION be added to title 10:

Any person aggrieved by the denial in whole or in part of relief claimed pursuant to this chapter may, within thirty days after receiving notice of such denial by the county treasurer, demand and must receive a hearing, upon notice, before the secretary on the question. The hearing must be conducted and appeals allowed in the manner specified in chapter 1-26.

Section 6. That a NEW SECTION be added to title 10:

Any person who receives a reduction in value due to false application for the reduction of assessed value by misrepresenting the facts as to the person's ownership or use of the property must be assessed the amount of tax reduction received pursuant to this chapter. The assessment is a perpetual lien on the property pursuant to § 10-21-33. The person is barred from receiving the reduction of assessed value on any property in the state for the following three years.