

Committee: House Judiciary

Monday, February 08, 2021 10:00 AM

Roll Call

Present: Rep. Barthel, Rep. Cwach, Rep. Odenbach, Rep. Sue Peterson, Rep. Pischke, Rep. Pourier, Rep. Rehfeldt, Rep. Reimer, Rep. Soye, Rep. Stevens, and Rep. Hansen

Excused: Rep. Aylward and Rep. St. John

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hansen

MOTION: TO APPROVE THE MINUTES OF FRIDAY, FEBRUARY 05TH

Moved by: Pischke
Second by: Barthel
Action: Prevailed by voice vote

HB 1061 : prohibit smoking marijuana and its derivatives in a motor vehicle and create a penalty therefor.

THE CHAIR DEFERRED HB 1061 UNTIL WEDNESDAY, FEBRUARY 17TH 2021

HB 1150 : provide definitions regarding the crime of rape.

Presented by: Representative Tim Reed (Handout(s) #1)
Proponents: Michael Moore, State's Attorney Beadle County, Huron, South Dakota
Dianna Miller, South Dakota Network Against Family Violence, Sioux Falls

MOTION: DO PASS HB 1150

Moved by: Barthel
Second by: Rehfeldt
Action: Prevailed by Majority Members Elect (11-0-2-0)

Voting Yes: Barthel, Cwach, Odenbach, Sue Peterson, Pischke, Pourier, Rehfeldt, Reimer, Soye, Stevens, and Hansen

Excused: Aylward and St. John

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1150 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1086 : allow succession to real property by an affidavit.

Presented by: Representative Ryan Cwach
Proponents: Eric Hanson, President, Dakota Homestead Title Insurance Company, Sioux Falls, South Dakota
Opponents: Matt McCauley, Attorney, Land Title Association, Sioux Falls, South Dakota

MOTION: DO PASS HB 1086

Moved by: Pourier
Second by: Cwach
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER HB 1086 UNTIL WEDNESDAY, FEBRUARY 10TH, 2021

Moved by: Reimer
Second by: Rehfeldt
Action: Prevailed by voice vote

SB 60 : revise the membership of the Law Enforcement Officers Standards Commission.

Presented by: Jason Ravnsborg, Attorney General of South Dakota
Rachel Oglesby, Governor's Office

MOTION: AMEND SB 60

60B

On page 1, line 9, of the Senate Judiciary bill, remove the overstrikes from "eight "
On page 1, line 9, of the Senate Judiciary bill, after "eight " delete "ten "

Moved by: Barthel
Second by: Pourier
Action: Prevailed by voice vote

MOTION: DO PASS SB 60 AS AMENDED

Moved by: Barthel
Second by: Odenbach
Action: Prevailed by Majority Members Elect (11-0-2-0)

Voting Yes: Barthel, Cwach, Odenbach, Sue Peterson, Pischke, Pourier, Rehfeldt, Reimer, Soye, Stevens, and Hansen

Excused: Aylward and St. John

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 60 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 62 : revise certain provisions regarding appeals by the prosecution.

Presented by: Jason Ravnsborg, Attorney General of South Dakota
Paul Bachand, South Dakota State's Attorneys Association, Pierre, South Dakota

MOTION: DO PASS SB 62

Moved by: Soye

Second by: Pischke
Action: Prevailed by Majority Members Elect (11-0-2-0)

Voting Yes: Barthel, Cwach, Odenbach, Sue Peterson, Pischke, Pourier, Rehfeldt, Reimer, Soye, Stevens, and Hansen

Excused: Aylward and St. John

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 62 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Rehfeldt
Second by: Sue Peterson
Action: Prevailed by voice vote

Nancy Bugay, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair