

Committee: House Judiciary

Wednesday, January 19, 2022 10:00 AM

Roll Call

Present: Rep. Aylward, 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. St. John

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hansen

MOTION: INTRODUCE A BILL AT THE REQUEST OF THE OFFICE OF THE CHIEF JUSTICE ENTITLED:

An Act to revise provisions related to the location of courtroom facilities

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

MOTION: INTRODUCE A BILL AT THE REQUEST OF THE OFFICE OF THE CHIEF JUSTICE ENTITLED:

An Act to allow for a good cause exception to the time for an involuntary commitment hearing

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

MOTION: INTRODUCE A BILL AT THE REQUEST OF THE OFFICE OF THE CHIEF JUSTICE ENTITLED:

An Act to provide for the security and privacy of certain personally identifiable information for judicial officers and to declare an emergency

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

MOTION: INTRODUCE A BILL AT THE REQUEST OF THE OFFICE OF THE CHIEF JUSTICE ENTITLED:

An Act to establish a process for requesting records prepared or maintained by court services officers

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

MOTION: INTRODUCTION OF A BILL AT THE REQUEST OF THE OFFICE OF THE CHIEF JUSTICE ENTITLED:

An Act to revise provisions related to driving under the influence

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

MOTION: INTRODUCTION OF A BILL AT THE REQUEST OF THE OFFICE OF THE CHIEF JUSTICE ENTITLED:

An act to revise a provision related to the review of the master jury list

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

MOTION: INTRODUCTION OF A BILL AT THE REQUEST OF THE OFFICE OF THE CHIEF JUSTICE ENTITLED:

An Act to revise a provision related to the appointment of a guardian ad litem or a special advocate to represent an abused or neglected child

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

HB 1056 : revise provisions related to medical cannabis data maintained by the Department of Health.

Presented by: Representative Fred Deutsch
Proponents: Dr. Chris Rogers, Colorado Child and Adolescent Psychiatric Society, Lakewood CO
Dr. Benjamin Aaker, self, Brandon SD
Dr. Ken Finn, self, Colorado Springs CO
John Jackson, self, Greenwood Village CO
Richard Tieszen, South Dakota Sheriffs' Association, Eureka
Rachel O'Bryan, One Chance to Grow Up, Denver CO
Deb Fischer-Clemens, Avera Health, Sioux Falls

MOTION: AMEND HB 1056

1056B

On page 1, line 19, of the Introduced bill, after "the " insert "investigation or "

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

MOTION: DO PASS HB 1056 AS AMENDED

Moved by: Stevens

Second by: Odenbach
Action: Prevailed by Majority Members Elect (10-2-1-0)

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

Voting No: Aylward and Pischke

Excused: St. John

HB 1036 : revise certain provisions regarding search warrants for tracking devices.

Presented by: Jason Ravensborg, Attorney General, State of South Dakota

MOTION: AMEND HB 1036

1036A

On page 1, line 6, of the Introduced bill, after "object" delete ", including GPS,"
On page 1, line 6, of the Introduced bill, after "camera"," delete " cellular device, electronic video surveillance, or any other covert tracking or surveillance device"

Moved by: Barthel
Second by: Reimer
Action: Failed by roll call vote (4-8-1-0)

Voting Yes: Barthel, Rehfeldt, Reimer, and Stevens

Voting No: Aylward, Cwach, Odenbach, Sue Peterson, Pischke, Pourier, Soye, and Hansen

Excused: St. John

MOTION: DO PASS HB 1036

Moved by: Rehfeldt
Second by: Barthel
Action: Prevailed by Majority Members Elect (9-3-1-0)

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

Voting No: Aylward, Cwach, and Pourier

Excused: St. John

HB 1038 : establish an opioid trust fund and to declare an emergency.

Presented by: Jason Ravensborg, Attorney General, State of South Dakota

Proponents: Laurie Gill, Department of Social Services
Justin Bell, South Dakota State Medical Association, Sioux Falls

MOTION: REFER HB 1038 TO HOUSE COMMITTEE ON APPROPRIATIONS DO PASS

Moved by: Pischke
Second by: Rehfeldt
Action: Prevailed by roll call vote (12-0-1-0)

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

Excused: St. John

HB 1068 : clarify the processing of sexual assault kits performed on individuals ages sixteen and seventeen.

Presented by: Representative Tim Reed
Proponents: Dianna Miller, South Dakota Network Against Family Violence, Sioux Falls
Jennifer Stalley, South Dakota Nurses Association, SIOUX FALLS
Carrie Sanderson, Board of Regents
Justin Bell, South Dakota State Medical Association, Sioux Falls

MOTION: DO PASS HB 1068

Moved by: Stevens
Second by: Barthel
Action: Prevailed by Majority Members Elect (12-0-1-0)

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

Excused: St. John

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1068 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

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

Deb Dufour, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair