

Committee: Senate Judiciary

Tuesday, March 01, 2022 7:45 AM

Roll Call

Present: Sen. Diedrich, Sen. Johns, Sen. Rohl, Sen. Stalzer, Sen. Wheeler,
Sen. Duhamel, and Sen. Rusch

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Rusch

MOTION: TO APPROVE THE MINUTES OF THURSDAY, MARCH 24TH

Moved by: Johns
Second by: Duhamel
Action: Prevailed by voice vote

HB 1160 : clarify bond or pre-trial release upon sobriety program participation.

Presented by: Senator Timothy Johns, District 31
Proponents: Eric Whitcher, Pennington County Public Defender, self, Rapid City
Justin Bell, South Dakota Association of Criminal Defense Lawyers, Rapid City
Steve Siegel, South Dakota Trial Lawyers Association, Sioux Falls
Lisa Nolen, Americans For Prosperity, Sioux Falls
Katie Johnson, self, Beresford
Matt Laidlaw, self, Rapid City
Opponents: Charles McGuigan, Office of the Attorney General
Byron Nagelmerer, self, Pierre
Staci Ackerman, South Dakota Sheriffs Association, Eureka
Patrick Callaghan, Hughes County Sheriff, self, Pierre
Greg Sattizahn, Unified Judicial System
Larry Long, self, Sioux Falls (Handout(s) 1,2)
Lucas Oyler, 24/7 Program Coordinator, self, Rapid City

MOTION: DO PASS HB 1160

Moved by: Wheeler
Second by: Johns
Action: Prevailed by Majority Members Elect (5-2-0-0)

Voting Yes: Diedrich, Johns, Rohl, Wheeler, and Rusch

Voting No: Stalzer and Duhamel

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

Presented by: Charles McGuigan, Office of the Attorney General (Handout(s) 3)
Proponents: Laura Ringling, Department of Social Services
Justin Bell, South Dakota State Medical Association, Sioux Falls

MOTION: DO PASS HB 1038

Moved by: Stalzer
Second by: Duhamel
Action: Prevailed by Majority Members Elect (6-0-1-0)

Voting Yes: Diedrich, Johns, Rohl, Stalzer, Duhamel, and Rusch

Excused: Wheeler

HB 1268 : revise provisions related to name changes when obtaining a marriage license.

Presented by: Representative Becky Drury, District 32
Proponents: Patti Duffy, self, Fort Pierre
Hannah Haksgaard, self, Vermillion

MOTION: DO PASS HB 1268

Moved by: Duhamel
Second by: Stalzer
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Diedrich, Johns, Rohl, Stalzer, Wheeler, Duhamel, and Rusch

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1268 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1272 : revise provisions related to counseling for domestic abuse defendants.

Presented by: Representative Rebecca Reimer, District 26B
Proponents: Dianna Miller, South Dakota Network Against Family Violence, Sioux Falls
April LeBeau, self, Chamberlain
Greg Sattizahn, Unified Judicial System
Jay Marchand, Director Re-Entry Services, self, Sioux Falls

MOTION: DO PASS HB 1272

Moved by: Diedrich
Second by: Duhamel
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Diedrich, Johns, Rohl, Stalzer, Wheeler, Duhamel, and Rusch

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1272 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SCR 608 : to conduct an interim study examining local jails and opportunities for collaboration with state correctional plans.

Presented by: Senator Al Novstrup, District 3

Proponents: Eric Erickson, South Dakota Association of County Commissioners, Pierre
Staci Ackerman, South Dakota Sheriffs Association, Eureka

MOTION: DO PASS SCR 608

Moved by: Stalzer

Second by: Johns

Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Johns, Rohl, Stalzer, Wheeler, and Rusch

Excused: Diedrich and Duhamel

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SCR 608 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1113 : prohibit threats made with the intent to coerce an abortion and to provide a penalty therefor.

Presented by: Senator Jessica Castleberry, District 35 (Handout(s) 4)

Opponents: Justin Bell, South Dakota Association of Criminal Defense Lawyers, Rapid City

MOTION: DO PASS HB 1113

Moved by: Wheeler

Second by: Stalzer

Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Johns, Rohl, Stalzer, Wheeler, and Rusch

Excused: Diedrich and Duhamel

Chairman Rusch DEFERRED HB 1232 and HB 1233 to March 3, 2022.

MOTION: ADJOURN

Moved by: Wheeler

Second by: Stalzer

Action: Prevailed by voice vote

Lorna Shell, Committee Secretary

/s/ ARTHUR RUSCH
Arthur Rusch, Chair