

Committee: House Judiciary

Wednesday, February 01, 2023 10:00 AM

Roll Call

Present: Rep. Fitzgerald, Rep. Kull, Rep. Massie, Rep. Odenbach, Rep. Pourier, Rep. Reimer, Rep. Reisch, Rep. Soye, Rep. St. John, Rep. Teunissen, Rep. Tordsen, Rep. Stevens, and Rep. Hansen

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hansen

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 25TH

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

MOTION: DEFER HB 1077 UNTIL FRIDAY, FEBRUARY 03RD, 2023

HB 1067 : provide for a rebuttable presumption of intent to distribute methamphetamine when in possession of more than five grams.

Presented by: Representative Carl E. Perry
Proponents: Representative Mary J. Fitzgerald
Ernest Thompson, Brown County State's Attorney, Aberdeen
Staci Ackerman, South Dakota Sheriffs' Association, Eureka
Paul E. Bachand, South Dakota State's Attorneys Association, Pierre
Charles McGuigan, Attorney General
Jenna R Severyn, South Dakota Police Chiefs Association, Fort Pierre
Opponents: Terra Larson, South Dakota Association of Criminal Defense Lawyers, Pierre

MOTION: DO PASS HB 1067

Moved by: Fitzgerald
Second by: Reimer
Action: Prevailed by Majority Members Elect (12-1-0-0)

Voting Yes: Fitzgerald, Kull, Massie, Odenbach, Pourier, Reimer, Reisch, Soye, St. John, Teunissen, Tordsen, and Hansen

Voting No: Stevens

HB 1145 : revise the order of precedence for the right to control the disposition of the remains of a deceased person.

Presented by: Representative Greg Jamison

MOTION: DO PASS HB 1145

Moved by: Stevens
Second by: Tordsen
Action: Prevailed by Majority Members Elect (13-0-0-0)

Voting Yes: Fitzgerald, Kull, Massie, Odenbach, Pourier, Reimer, Reisch, Soye, St. John, Teunissen, Tordsen, Stevens, and Hansen

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1145 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 7 : clarify emergency commitments of severely mentally ill persons by appropriate regional facilities.

Presented by: Tiffany Wolfgang, Department of Social Services

Proponents: Terrance Lee Dosch, South Dakota Council of Community Behavioral Health, Pierre
Stephanie Rissler, South Dakota Association of Healthcare Organizations, Sioux Falls

MOTION: DO PASS SB 7

Moved by: Reisch
Second by: Fitzgerald
Action: Prevailed by Majority Members Elect (13-0-0-0)

Voting Yes: Fitzgerald, Kull, Massie, Odenbach, Pourier, Reimer, Reisch, Soye, St. John, Teunissen, Tordsen, Stevens, and Hansen

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 7 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 28 : revise and repeal obsolete provisions related to the Department of Social Services.

Presented by: Jeremy Lippert, Department of Social Services

MOTION: DO PASS SB 28

Moved by: Odenbach
Second by: Soye
Action: Prevailed by Majority Members Elect (13-0-0-0)

Voting Yes: Fitzgerald, Kull, Massie, Odenbach, Pourier, Reimer, Reisch, Soye, St. John, Teunissen, Tordsen, Stevens, and Hansen

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 28 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Odenbach
Second by: Kull
Action: Prevailed by voice vote

Janelle Toman, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair