

Committee: House Judiciary

Friday, February 03, 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, FEBRUARY 01<sup>ST</sup>**

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

**THE CHAIR DEFERRED HB 1173**

**THE CHAIR DEFERRED HB 1156**

**HB 1077 : prohibit eligibility for a suspended imposition of sentence for certain rape offenses.**

Presented by: Representative Mary J. Fitzgerald

**MOTION: DEFER HB 1077 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Stevens  
Second by: Soye  
Action: Prevailed by Majority Members Elect (7-5-1-0)

Voting Yes: Massie, Odenbach, Pourier, Soye, Tordsen, Stevens, and Hansen

Voting No: Fitzgerald, Kull, Reisch, St. John, and Teunissen

Excused: Reimer

**HB 1174 : revise civil commitment procedures for offenders with developmental disabilities.**

Presented by: Representative Brian Mulder (Handout(s) 1)  
Proponents: Daniel P. Cross, Community Support Providers of South Dakota, Spearfish Senator David Wheeler  
Opponents: Jenna Howell, Department of Human Services

**MOTION: DO PASS HB 1174**

Moved by: Odenbach  
Second by: St. John  
Action: Prevailed by Majority Members Elect (9-4-0-0)

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

Voting No: Fitzgerald, Kull, Reimer, and Stevens

**HB 1168 : require active efforts to preserve and reunite Indian families in abuse and neglect proceedings.**

Presented by: Representative Peri Pourier (Handout(s) 2, 3)

Proponents: David Simmons, National Indian Child Welfare Association, Portland, Oregon (Handout(s) 4)

Jessica Morson, Flandreau Santee Sioux Tribe, Flandreau

Alicia Mousseau, Oglala Sioux Tribe, Pine Ridge

Myrna Thompson, Sisseton-Wahpeton Oyate, Sisseton (Handout(s) 5, 6)

Opponents: Jeremy Lippert, Department of Social Services

**MOTION: DO PASS HB 1168**

Moved by: St. John

Second by: Reisch

Action: Prevailed by Majority Members Elect (9-3-1-0)

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

Voting No: Odenbach, Soye, and Hansen

Excused: Fitzgerald

**MOTION: ADJOURN**

Moved by: Stevens

Second by: Tordsen

Action: Prevailed by voice vote

Janelle Toman, Committee Secretary

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/s/ JON HANSEN  
Jon Hansen, Chair