

Committee: House Judiciary

Friday, January 12, 2024 10:00 AM

Roll Call

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

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hansen

HB 1004 : update the official code of laws.

Presented by: Justin Goetz

MOTION: DO PASS HB 1004

Moved by: Stevens
Second by: Reimer
Action: Prevailed by Majority Members Elect (11-0-2-0)

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

Excused: Pourier and St. John

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1004 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1005 : revise the manner of citing the Administrative Rules of South Dakota.

Presented by: Representative Jon Hansen

MOTION: DO PASS HB 1005

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

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

Excused: Pourier and St. John

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1005 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1006 : increase the amount of time permitted the Interim Rules Review Committee to review final permanent rulemaking materials.

Presented by: Representative Jon Hansen

MOTION: DO PASS HB 1006

Moved by: Reisch
Second by: Fitzgerald
Action: Prevailed by Majority Members Elect (11-0-2-0)

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

Excused: Pourier and St. John

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1006 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1024 : require that an application for a medical marijuana registry identification card include a notice and acknowledgement of federal law regarding firearms and the unlawful use of a controlled substance.

Presented by: Representative Kevin Jensen (Handout(s) Firearm Transaction Record)
Opponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls

MOTION: DO PASS HB 1024

Moved by: Stevens
Second by: Kull
Action: Prevailed by Majority Members Elect (11-0-2-0)

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

Excused: Pourier and St. John

HB 1036 : require that a dispensary post notice of the federal law regarding possession of a firearm and the use of marijuana and to provide a civil penalty.

Presented by: Representative Kevin Jensen (Handout(s) Smoking Kills)
Opponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls

MOTION: DO PASS HB 1036

Moved by: Reisch
Second by: Fitzgerald
Action: Prevailed by Majority Members Elect (8-4-1-0)

Voting Yes: Fitzgerald, Massie, Reimer, Reisch, Soye, Teunissen, Stevens, and Hansen

Voting No: Kull, Odenbach, St. John, and Tordsen

Excused: Pourier

HB 1025 : establish the crime of exposure of a law enforcement officer to a controlled drug or substance and to provide a penalty therefor.

Presented by: Representative Ben Krohmer (Handout(s) Peace Association)

Proponents: Jenna R. Severyn, South Dakota Police Chiefs Association, FORT PIERRE

Opponents: Cash Anderson, South Dakota Association of Criminal Defense Lawyers, Rapid City (Handout(s) Clinical Toxicology)
Steve Siegel, South Dakota Trial Lawyers Association, Pierre

MOTION: DEFER HB 1025 TO THE 41ST LEGISLATIVE DAY

Moved by: Stevens

Second by: Reimer

Action: Failed by Majority Members Elect (5-7-1-0)

Voting Yes: Kull, Reimer, St. John, Tordsen, and Stevens

Voting No: Fitzgerald, Massie, Odenbach, Reisch, Soye, Teunissen, and Hansen

Excused: Pourier

MOTION: AMEND HB 1025

1025A

On page 1, line 10, of the Introduced bill, delete " Class 2" and insert " Class 3"

Moved by: Soye

Second by: Stevens

Action: Prevailed by voice vote

MOTION: DO PASS HB 1025 AS AMENDED

Moved by: Kull

Second by: Reisch

Action: Prevailed by Majority Members Elect (8-4-1-0)

Voting Yes: Fitzgerald, Kull, Massie, Odenbach, Reisch, Soye, Teunissen, and Hansen

Voting No: Reimer, St. John, Tordsen, and Stevens

Excused: Pourier

MOTION: Introduce The Following Bills at the Request of the Chief Justice: HB 1083 HB 1084 HB 1085 HB 1086 HB 1087 HB 1088

Moved by: Stevens

Second by: Odenbach

Action: Prevailed by voice vote

MOTION: ADJOURN

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

Madisen Vetter, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair