

Committee: House Judiciary

Friday, February 02, 2024 10:00 AM

Roll Call

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

Excused: Rep. Kull, Rep. St. John, and Rep. Stevens

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hansen

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 31ST

Moved by: Reisch

Second by: Fitzgerald

Action: Prevailed by voice vote

SB 12 : authorize certain employer actions regarding the use of cannabis by an employee or a prospective employee.

Presented by: Representative Ben Krohmer

Proponents: William M. Van Camp, Associated Builders and Contractors, Lincoln, NE
Deb Mortenson, AGC of SD, Pierre

Opponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls

MOTION: DO PASS SB 12

Moved by: Fitzgerald

Second by: Reisch

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

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

Voting No: Pourier

Excused: Kull, St. John, and Stevens

HB 1192 : allow for the death penalty for rape of a child twelve years of age or under.

Presented by: Representative Ben Krohmer

Opponents: Terra Larson, South Dakota Association of Criminal Defense Lawyers, Rapid City (Handout(s) Kennedy Vs. Louisiana)

Steve Siegel, South Dakota Trial Lawyers Association, Pierre

MOTION: AMEND HB 1192

1192A

On page 1, line 20, of the Introduced bill, delete " A" and insert " B"

Moved by: Reisch

Second by: St. John
Action: Prevailed by Majority Members Elect (7-4-2-0)

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

Voting No: Fitzgerald, Odenbach, Reimer, and Soye

Excused: Kull and Stevens

MOTION: AMEND THE PENDING AMENDMENT

1192E

On the previously adopted amendment (1192A), On page 1, line 1, delete "allow for the death penalty " and insert "enhance the penalty "

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

MOTION: DO PASS HB 1192 AS AMENDED

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

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

Excused: Kull and Stevens

HB 1195 : provide authority for a court to order offenders convicted of vehicular homicide to pay restitution in the form of child support.

Presented by: Representative Kady Wittman

MOTION: AMEND HB 1195

1195A

On page 1, line 25, of the Introduced bill, delete " three" and insert " thirty"

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

MOTION: DO PASS HB 1195 AS AMENDED

Moved by: Pourier
Second by: Fitzgerald
Action: Prevailed by Majority Members Elect (10-0-3-0)

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

Excused: Kull, Reisch, and Stevens

SB 79 : revise provisions related to the possession, distribution, and manufacture of child pornography.

Presented by: Representative Fred Deutsch

Proponents: Senator David Wheeler

Marty Jackley, Attorney General, Pierre

Lisa Gennaro, Concerned Women for America, Alexandria, VA (Handout(s) AI Generations)

Jenna R. Severyn, South Dakota Police Chiefs Association, Fort Pierre

Matthew McCaulley, SD States Attorneys Assn, Harrisburg

Opponents: Terra Larson, South Dakota Association of Criminal Defense Lawyers, Rapid City

MOTION: DO PASS SB 79

Moved by: Fitzgerald

Second by: Soye

Action: Prevailed by Majority Members Elect (12-0-1-0)

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

Excused: Kull

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 79 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Tordsen

Second by: Odenbach

Action: Prevailed by voice vote

Madisen Vetter, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair