

Committee: House Judiciary

Monday, February 05, 2024 10:00 AM

Roll Call

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

Excused: Rep. Odenbach and Rep. Pourier

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hansen

MOTION: TO APPROVE THE MINUTES OF FRIDAY, FEBRUARY 02ND

Moved by: Reisch

Second by: Fitzgerald

Action: Prevailed by voice vote

HB 1104 : enhance the penalty for accessory to first- or second-degree murder.

Presented by: Representative Mary Fitzgerald

Proponents: Grace Beck, South Dakota State's Attorneys Association, Sioux Falls
Lora Roetzel, Pennington County States Attorney, Rapid City
Michael Rehfeldt, Self, Rapid City
Stephen Gemar, Attorney General

Opponents: Cash Anderson, South Dakota Association of Criminal Defense Lawyers, Rapid City

MOTION: DO PASS HB 1104

Moved by: Reimer

Second by: Kull

Action: Prevailed by Majority Members Elect (11-0-2-0)

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

Excused: Odenbach and Pourier

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1104 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1089 : exclude certain crimes from presumptive probation.

Presented by: Representative Mary Fitzgerald

Proponents: Lora Roetzel, Pennington County States Attorney, Rapid City
Stephen Gemar, Attorney General

MOTION: DO PASS HB 1089

Moved by: Kull

Second by: Reisch

Action: Prevailed by Majority Members Elect (11-0-2-0)

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

Excused: Odenbach and Pourier

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1089 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1245 : revise provisions related to the custody of an alleged delinquent child before and after a temporary custody hearing.

Presented by: Representative Rebecca Reimer

Proponents: Steve Smith, Lyman County States Attorney
Rob L Monson, School Administrators of South Dakota, Pierre

MOTION: DO PASS HB 1245

Moved by: Stevens

Second by: Fitzgerald

Action: Prevailed by Majority Members Elect (11-0-2-0)

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

Excused: Odenbach and Pourier

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1245 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Soye

Second by: Tordsen

Action: Prevailed by voice vote

Madisen Vetter, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair