

Committee: Senate Judiciary

Tuesday, February 20, 2024 7:45 AM

Roll Call

Present: Sen. Hoffman, Sen. Mehlhaff, Sen. Rohl, Sen. Walsh, Sen. Stalzer, and Sen. Duhamel

Excused: Sen. Wheeler

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Duhamel

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 15TH

Moved by: Walsh
Second by: Mehlhaff
Action: Prevailed by voice vote

HB 1083 : permit a person convicted of certain driving under the influence offenses to drive for certain purposes.

Presented by: Greg Sattizahn, Unified Judicial System
Proponents: Matthew McCaulley, SD States Attorneys Assn, Harrisburg
Cash Anderson, South Dakota Association of Criminal Defense Lawyers, Rapid City

MOTION: DO PASS HB 1083

Moved by: Wheeler
Second by: Stalzer
Action: Prevailed by Majority Members Elect (5-1-1-0)

Voting Yes: Mehlhaff, Wheeler, Walsh, Stalzer, and Duhamel

Voting No: Hoffman

Excused: Rohl

HB 1084 : repeal a provision related to habeas corpus proceedings.

Presented by: Greg Sattizahn, Unified Judicial System
Opponents: Chet Ellsworth, Self, Rapid City

MOTION: DO PASS HB 1084

Moved by: Wheeler
Second by: Walsh
Action: Prevailed by Majority Members Elect (6-0-1-0)

Voting Yes: Hoffman, Mehlhaff, Wheeler, Walsh, Stalzer, and Duhamel

Excused: Rohl

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1084 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1085 : specify the venue of appeal to circuit court for persons committed to a mental health facility.

Presented by: Greg Sattizahn, Unified Judicial System

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

MOTION: DO PASS HB 1085

Moved by: Wheeler

Second by: Stalzer

Action: Prevailed by Majority Members Elect (6-0-1-0)

Voting Yes: Hoffman, Mehlhaff, Wheeler, Walsh, Stalzer, and Duhamel

Excused: Rohl

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1085 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1086 : establish an enhanced penalty for probationers intentionally causing contact with bodily fluids or human waste with a Unified Judicial System employee.

Presented by: Greg Sattizahn, Unified Judicial System

Proponents: Matthew McCaulley, SD States Attorneys Assn, Harrisburg

MOTION: DO PASS HB 1086

Moved by: Mehlhaff

Second by: Wheeler

Action: Prevailed by Majority Members Elect (6-0-1-0)

Voting Yes: Hoffman, Mehlhaff, Wheeler, Walsh, Stalzer, and Duhamel

Excused: Rohl

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1086 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1087 : modify the definitions of a child in need of supervision and a delinquent child.

Presented by: Greg Sattizahn, Unified Judicial System

Proponents: Matthew McCaulley, SD States Attorneys Assn, Harrisburg

MOTION: DO PASS HB 1087

Moved by: Wheeler
Second by: Walsh
Action: Prevailed by Majority Members Elect (6-0-1-0)

Voting Yes: Hoffman, Mehlhaff, Wheeler, Walsh, Stalzer, and Duhamel

Excused: Rohl

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1087 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1088 : remove the option for a court services officer to prepare documentation in an adoption proceeding.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1088

Moved by: Mehlhaff
Second by: Wheeler
Action: Prevailed by Majority Members Elect (6-0-1-0)

Voting Yes: Hoffman, Mehlhaff, Wheeler, Walsh, Stalzer, and Duhamel

Excused: Rohl

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1088 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Stalzer
Second by: Mehlhaff
Action: Prevailed by voice vote

Doug Mortenson, Committee Secretary

/s/ HELENE DUHAMEL
Helene Duhamel, Chair