

Minutes: House Judiciary

Wednesday, February 12, 2025 10:00 AM

Roll Call

Present: Rep. Reisch, Rep. Walburg, Rep. Roby, Rep. Fitzgerald, Rep. Reimer, Rep. Hughes, Rep. Massie, Rep. Kull, Rep. Pourier, Rep. Hunt, Rep. Soye, and Rep. Stevens

Excused: Rep. Mortenson

The meeting was called to order by Representative Stevens

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 10TH

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

HB 1115 : establish the crime of aggravated criminal entry of a motor vehicle with the intent to steal a firearm, to make offenders ineligible for presumptive probation, and to provide a penalty therefor.

Presented by: Representative Mary J. Fitzgerald

THE CHAIR DEFERRED HB 1115

HB 1123 : repeal medical purpose as a defense in prosecutions involving cannabis.

Presented by: Representative Mary J. Fitzgerald
Proponents: Stephen Gemar, Attorney General
Jenna R. Severyn, South Dakota Police Chiefs Association, Fort Pierre
Brian Mueller, Pennington County Sheriffs Office, Rapid City
Eric Erickson, South Dakota State's Attorneys Association, Sioux Falls
Staci Ackerman, South Dakota Sheriffs' Association, Eureka
Opponents: Terra Larson, South Dakota Association of Criminal Defense Lawyers, Rapid City
Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls
Emmett Reistroffer, Genesis Farms LLC, Sioux Falls

MOTION: DO PASS HB 1123

Moved by: Hunt
Second by: Massie
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER HB 1123 TO THE 41ST LEGISLATIVE DAY

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

Voting Yes: Reisch, Walburg, Roby, Reimer, Hughes, Pourier, Soye, and Stevens

Voting No: Fitzgerald, Massie, Kull, and Hunt

Excused: Mortenson

HB 1192 : remove the maximum fee permitted to be charged by a notary.

Presented by: Representative Matt Roby

MOTION: DO PASS HB 1192

Moved by: Pourier

Second by: Hughes

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

Voting Yes: Reisch, Walburg, Roby, Fitzgerald, Reimer, Hughes, Massie, Kull, Pourier, Hunt, Soye, and Stevens

Excused: Mortenson

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1192 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1227 : provide that certain testamentary gifts given to a lawyer from a client are invalid.

Presented by: Representative Jana Hunt

Proponents: Dusta Ismay, Self, Vale, SD

Opponents: Paul Cremer, State Bar of South Dakota, Pierre
Thomas Simmons, Self, Vermillion
Cameo Anders, Self, Sioux Falls

MOTION: DEFER HB 1227 TO THE 41ST LEGISLATIVE DAY

Moved by: Reimer

Second by: Roby

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

Voting Yes: Reisch, Walburg, Roby, Reimer, Hughes, Kull, and Stevens

Voting No: Fitzgerald, Massie, Pourier, Hunt, and Soye

Excused: Mortenson

HB 1222 : expand the authorized carrying, possession, and storage of a concealed pistol.

Presented by: Representative Kaley Nolz

Proponents: Brian Gosch, National Rifle Association of America, Fairfax, VA
Terra Larson, South Dakota Association of Criminal Defense Lawyers, Rapid City

MOTION: AMEND HB 1222

1222B

On page 1, line 23, of the Introduced bill, delete "(4) An individual who:
 (a) Holds a permit to carry a concealed pistol, a gold card permit to carry a concealed pistol, or an enhanced permit to carry a concealed pistol, issued in accordance with chapter 23-7; and
 (b) Carries, possesses, or stores a concealed pistol while on school property, other than in a building being used for the instruction of students;
 " and insert "(4) An individual who holds any permit to carry a concealed pistol, issued in accordance with chapter 23-7, while that individual is:
 (a) Inside a motor vehicle; or
 (b) Outside a motor vehicle and securing a pistol in, or retrieving a pistol from, the vehicle;
 "

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

MOTION: DO PASS HB 1222 AS AMENDED

Moved by: Pourier
 Second by: Soye
 Action: Prevailed by Majority Members Elect (11-1-1-0)

Voting Yes: Reisch, Walburg, Roby, Fitzgerald, Reimer, Hughes, Massie, Kull, Pourier, Hunt, and Soye

Voting No: Stevens

Excused: Mortenson

MOTION: ADJOURN

Moved by: Hughes
 Second by: Hunt
 Action: Prevailed by voice vote

Leonard Chick, Committee Secretary

 /s/ MIKE STEVENS
 Mike Stevens, Chair