

Committee: Senate Judiciary

Tuesday, January 28, 2020 9:00 AM

Roll Call

Present: Sen. Blare, Sen. Novstrup, Sen. Schoenbeck, Sen. Stalzer, Sen. Kennedy,  
Sen. Rusch, and Sen. Russell

OTHERS PRESENT: See Original Minutes

**The meeting was called to order by Senator Rusch**

**MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 22<sup>ND</sup>**

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

**SB 51 : authorize the possession of a concealed pistol by employees in county courthouses.**

Presented by: Senator Lance Russell  
Proponents: Paul Nabholz, Fall River Co (Handout(s) 1)  
Lyle Jensen, Fall River Co  
John Bey, Fall River Co.  
Representative Tim Goodwin  
Opponents: Richard Tieszen, SD Sheriffs Association  
Greg Sattizahn, Unified Judicial System (Handout(s) 2)  
Roger Tellinghuisen, South Dakota Association of County Officials

**MOTION: AMEND SB 51**

51A

On page 2, line 10, of the Introduced bill, after "courthouse" insert ", provided the person is not an inmate"

Moved by: Russell  
Second by: Stalzer  
Action: Prevailed by roll call vote (6-1-0-0)

Voting Yes: Blare, Novstrup, Schoenbeck, Stalzer, Rusch, and Russell

Voting No: Kennedy

**MOTION: AMEND SB 51**

51C

On page 1, line 1, of the Introduced bill, after "pistol " delete "by employees "  
On page 2, line 8, delete " any person who is employed by the county and assigned to work in the county courthouse" and insert " a qualified law enforcement officer or a qualified retired law enforcement officer, in accordance with the Law Enforcement Officers Safety Act of 2004, 18 U.S.C. § 926B-C, provided the officer is not a party to any civil or criminal matter before the court"

On page 2, line 15, delete "the " and insert "a "

On page 2, line 15, after "commission " delete "in any county "  
 On page 2, line 16, after "may " delete "elect to "  
 On page 2, lines 16 through 17, after "to" insert " any person not otherwise listed in § 22-14-24, with respect to the carrying of a firearm or other dangerous weapon in "  
 On page 2, line 16, delete ". A waiver by the county commission in accordance with this section supersedes subdivision 6 of § 22-14-24 governing county employees." and insert " , except that the waiver authorized by this section may not extend to a courtroom located in the courthouse."

Moved by: Schoenbeck  
 Second by: Kennedy  
 Action: Prevailed by roll call vote (7-0-0-0)

Voting Yes: Blare, Novstrup, Schoenbeck, Stalzer, Kennedy, Rusch, and Russell

**MOTION: AMEND SB 51**

51B

On page 2, lines 10 through 11, of the Introduced bill, after "courthouse" insert " , except in any courtroom or area under the supervision of the Unified Judicial System or employees of the Unified Judicial System"

Moved by: Russell  
 Second by: Stalzer  
 Action: Failed by roll call vote (2-5-0-0)

Voting Yes: Novstrup and Russell

Voting No: Blare, Schoenbeck, Stalzer, Kennedy, and Rusch

**THE CHAIR DEFERRED SB 51**

**MOTION: ADJOURN**

Moved by: Russell  
 Second by: Kennedy  
 Action: Prevailed by voice vote

Jean Denton, Committee Secretary

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 /s/ LANCE RUSSELL  
 Lance Russell, Chair