Committee: House Judiciary Wednesday, January 29, 2020 10:00 AM

Roll Call
Present: Rep. Barthel, Rep. Borglum, Rep. Diedrich, Rep. Hammock, Rep. Latterell, Rep. Pischke, Rep. Rasmussen, Rep. Reimer, Rep. St. John, Rep. Cwach, Rep. Johns, and Rep. Hansen
Excused: Rep. Pourier

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hansen

MOTION: TO APPROVE THE MINUTES OF MONDAY, JANUARY 27TH

Moved by: Diedrich
Second by: Latterell
Action: Prevailed by voice vote

MOTION: INTRODUCE A BILL AT THE REQUEST OF THE CODE COMMISSION ENTITLED: **codify legislation enacted in 2019.**

Moved by: Latterell
Second by: Pischke
Action: Prevailed by voice vote

HB 1096 : prohibit commercial surrogacy contracts and provide a penalty for facilitating a commercial surrogacy.

Presented by: Representative Jon Hansen (Handout(s) 1)
Proponents: Jennifer Lahl, The Center for Bioethics and Culture, Pleasant Hill, CA
Kelly Martinez, self, Custer SD
Dale Burtsches, SD Right to Life
Debbie Pease, Family Heritage Alliance Action
Chris Motz, SD Catholic Conference
Opponents: Dr. Naomi Ludeman-Smith, LEAD South Dakota
Ella Daae, self, Sioux Falls, SD - Call-in
Emilee Gehling, co-founder, Dakota Surrogacy, Sioux Falls, SD - Call-in
Amber Rikansrud, self, Sioux Falls, SD- Call-in

MOTION: AMEND HB 1096

1096B

On page 2, line 7, of the Introduced bill, after "child." insert " The provisions in this section do not apply to any broker activity stemming from a commercial surrogacy entered into before July 1, 2020."
On page 2, line 10, after "state" delete the comma
On page 2, line 11, after "state, " insert "after July 1, 2020, "
Moved by: Latterell
Second by: Hansen
Action: Prevailed by voice vote

MOTION: **AMEND HB 1096**

1096C

On page 1, line 23, of the Introduced bill, delete "participate in the creation " and insert "cause the gestation "
Moved by: Hansen
Second by: Latterell
Action: Prevailed by voice vote

MOTION: **DO PASS HB 1096 AS AMENDED**

Moved by: Hansen
Second by: Pischke
Action: Prevailed by roll call vote (11-1-1-0)

Voting Yes: Barthel, Borglum, Diedrich, Hammock, Latterell, Pischke, Rasmussen, Reimer, St. John, Johns, and Hansen

Voting No: Cwach

Excused: Pourier

THE CHAIR DEFERRED HB 1013 AND 1012

MOTION: **ADJOURN**

Moved by: Johns
Second by: Pischke
Action: Prevailed by voice vote

Nancy Bugay, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair