Roll Call

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Ewing

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 29TH

Moved by: Klumb
Second by: Langer
Action: Prevailed by voice vote

MOTION: INTRODUCE A BILL AT THE REQUEST OF THE OFFICE OF THE GOVERNOR ENTITLED:

An Act to revise certain provisions regarding the county zoning and appeals process

Moved by: Klumb
Second by: Langer
Action: Prevailed by roll call vote (7-0-2-0)

Voting Yes: Bolin, Brock Greenfield, Heinert, Langer, Novstrup, Klumb, and Ewing

Excused: Kennedy and Youngberg

SB 92: to provide for the repurposing of STAR Academy.

Presented by: Senator Lance Russell
Proponents: Representative Julie Frye-Mueller
Florence Thompson, South Dakota Citizens for Liberty
Opponents: Mike Leidholt, Department of Corrections
Others: Mike Lauritsen, School and Public Lands

MOTION: DO PASS SB 92

Moved by: Brock Greenfield
Second by: Klumb
Action: Prevailed by roll call vote (5-4-0-0)

Voting Yes: Bolin, Brock Greenfield, Novstrup, Klumb, and Ewing

Voting No: Heinert, Kennedy, Langer, and Youngberg

SB 100: regulate certain portable recording systems worn by law enforcement officers.

Presented by: Senator Reynold Nesiba
Proponents: David Bordewick, SD Newspaper Association
MOTION: AMEND SB 100

On the Introduced bill, delete everything after the enacting clause and insert:

"Section 1. There is hereby established a legislative study comprised of a total of sixteen members, with any vacancy on the study to be filled in the same manner as the original appointment, and including:

(1) Three members of the Senate, two of whom to be members of the Republican party and one of whom to be a member of the Democrat party;
(2) Three members of the House of Representatives, two of whom to be members of the Republican party and one of whom to be a member of the Democrat party;
(3) The attorney general;
(4) One member from the South Dakota Sheriff's Association;
(5) One member from the South Dakota Police Chiefs' Association;
(6) One member of tribal law enforcement;
(7) One member from the Unified Judicial System;
(8) One member of the American Civil Liberties Union of South Dakota;
(9) One member who is a representative of the South Dakota Broadcasters Association;
(10) One member who is a representative of the South Dakota Newspapers Association;
(11) One member who is a public defender; and
(12) One member who is an expert in data storage and retention.

Section 2. The legislative study established under section 1 of this Act shall study and evaluate:

(1) Use of portable recording systems;
(2) Storage and retention of data generated by portable recording systems, whether by an entity or third-party;
(3) Inspection and release of data generated by portable recording systems, whether by an entity or third-party;
(4) Use of portable recording systems in conjunction with other technologies, including facial recognition technology and redaction technology;
(5) Procedures for the preservation, use, inspection, and release of portable recording system data that:
   (a) Documents the use of force by a law enforcement officer;
   (b) Documents potential civil and criminal actions against a law enforcement officer;
   (c) May result in disciplinary actions against a law enforcement officer; or
   (d) May be used as evidence against a member of the public in a criminal or civil action; and
(6) Any cost or fee associated with:
   (a) Purchase, upkeep, and maintenance of portable recording systems;
   (b) Storage of data; or
   (c) Inspection or disclosure of data; and
(7) Any policy associated with the:
(a) Use of data for internal training purposes;
(b) Sharing of data with an entity who did not generate the data;
(c) Use of data by law enforcement officers for assistance in completing any
reports, statements, or interviews;
(d) Upkeep, maintenance, and replacement of equipment to ensure continuity of
use in the field and secure storage;
(e) Use of data for evidentiary purposes;
(f) Violations of any policies or laws regarding portable recording systems;
(8) Any technical specifications for:
(a) Portable recording systems; or
(b) Data retention, security, and storage;
(9) Any decision-making process or appeals process for the inspection, review,
disclosure, or release of data; and
(10) State and local funding options for portable recording systems or data
storage.

Section 3. The legislative study established under section 1 of this Act shall report to the
Legislature and the Governor before the beginning of the Ninety-Sixth
Legislative Session, including any draft legislation or policy recommendations.

Section 4. The legislative study established under section 1 of this Act shall be under the
supervision of the Executive Board of the Legislative Research Council and
staffed and funded as an interim legislative committee.

Moved by: Brock Greenfield
Second by: Heinert
Action: Prevailed by roll call vote (6-3-0-0)

Voting Yes: Brock Greenfield, Heinert, Kennedy, Novstrup, Klumb, and Ewing
Voting No: Bolin, Langer, and Youngberg

MOTION: DEFER SB 100 TO THE 41ST LEGISLATIVE DAY

Moved by: Klumb
Second by: Bolin
Action: Prevailed by roll call vote (7-2-0-0)

Voting Yes: Bolin, Brock Greenfield, Langer, Novstrup, Youngberg, Klumb, and Ewing
Voting No: Heinert and Kennedy

MOTION: ADJOURN

Moved by: Klumb
Second by: Youngberg
Action: Prevailed by voice vote

Mary Beth Fravel, Committee Secretary

/s/ BOB EWING
Bob Ewing, Chair