

Committee: House Judiciary

Wednesday, February 12, 2020 10:00 AM

Roll Call

Present: Rep. Barthel, Rep. Diedrich, Rep. Hammock, Rep. Pischke, Rep. Rasmussen, Rep. St. John, Rep. Cwach, and Rep. Johns

Excused: Rep. Borglum, Rep. Latterell, Rep. Reimer, Rep. Pourier, and Rep. Hansen

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Johns

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

Moved by: Hammock

Second by: Diedrich

Action: Prevailed by voice vote

HB 1009 : revise provisions regarding failure to comply with outpatient commitment or treatment orders.

Presented by: Representative Steven Hugaard

Proponents: Jeremy Johnson, Dept. of Social Services

Terry Dosch, SD Council of Community Behavioral Health

Deb Fischer-Clemens, Avera

MOTION: DO PASS HB 1009

Moved by: Barthel

Second by: Hammock

Action: Prevailed by roll call vote (8-0-5-0)

Voting Yes: Barthel, Diedrich, Hammock, Latterell, Pischke, Rasmussen, Cwach, and Johns

Excused: Borglum, Reimer, St. John, Pourier, and Hansen

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1009 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1011 : require certain examinations of persons awaiting involuntary commitment hearings.

Presented by: Representative Steven Hugaard

Proponents: Terry Dosch, SD Council of Community Behavioral Health

Deb Fischer-Clemens, Avera

Jeremy Johnson, Dept. of Social Services

MOTION: DO PASS HB 1011

Moved by: Barthel

Second by: Cwach

Action: Prevailed by roll call vote (9-0-4-0)

Voting Yes: Barthel, Diedrich, Hammock, Latterell, Pischke, Rasmussen, St. John, Cwach, and Johns

Excused: Borglum, Reimer, Pourier, and Hansen

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1011 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1103 : authorize the forensic medical examination of certain minor victims without parental or guardian consent.

Presented by: Representative Tim Reed

Proponents: Anne Fisher, self, Rapid City, SD
Dianna Miller, SD Network Against Family Violence
Tammy Hattling, SDAH, Sioux Falls, SD

MOTION: DO PASS HB 1103

Moved by: Diedrich

Second by: Latterell

Action: Prevailed by roll call vote (9-0-4-0)

Voting Yes: Barthel, Diedrich, Hammock, Latterell, Pischke, Rasmussen, Cwach, Johns, and Hansen

Excused: Borglum, Reimer, St. John, and Pourier

HB 1109 : revise the Uniform Limited Liability Company Act.

Presented by: Representative Johns

Proponents: Brett Koenecke, SD Bankers Ass., Pierre, SD

MOTION: DO PASS HB 1109

Moved by: Barthel

Second by: Cwach

Action: Prevailed by Majority Members Elect (9-0-4-0)

Voting Yes: Barthel, Diedrich, Hammock, Latterell, Pischke, Rasmussen, Cwach, Johns, and Hansen

Excused: Borglum, Reimer, St. John, and Pourier

HB 1205 : revise provisions regarding a custodial parent relocating a minor child.

Presented by: Representative Johns

Proponents: Lindsey Riter, State Bar of SD, Pierre, SD
Dianna Miller, SD Network Against Family Violence

MOTION: DO PASS HB 1205

Moved by: Cwach
Second by: Barthel
Action: Prevailed by roll call vote (12-0-1-0)

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

Excused: Pourier

HB 1122 : require child abuse or neglect investigations upon the filing of truancy complaints.

Presented by: Representative Ryan Cwach
Proponents: Sam Nelson, Sioux Falls School District
Dianna Miller, Large School Group
Opponents: Virgena Wieseler, Department of Social Services

MOTION: DO PASS HB 1122

Moved by: Barthel
Second by: Johns
Action: Failed by roll call vote (4-8-1-0)

Voting Yes: Barthel, Borglum, Cwach, and Johns

Voting No: Diedrich, Hammock, Latterell, Pischke, Rasmussen, Reimer, St. John, and Hansen

Excused: Pourier

MOTION: DEFER HB 1122 TO THE 41ST LEGISLATIVE DAY

Moved by: Latterell
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

HB 1123 : provide for the termination of a lease by a victim of alleged domestic abuse.

Presented by: Representative Michael Diedrich
Proponents: Denise Hanzlik, SDMHA, Dell Rapids, SD
Dianna Miller, SD Network Against Family Violence
Senator Jessica Castleberry

MOTION: AMEND HB 1123

1123A

On page 2, line 5, of the Introduced bill, after "unit " insert "without penalty for early termination "

On page 2, line 25, of the Introduced bill, after "is" insert " not"

On page 2, line 26, of the Introduced bill, after "pay " insert "any otherwise applicable early termination fee or "

Moved by: Reimer

Second by: Barthel

Action: Prevailed by voice vote

MOTION: DO PASS HB 1123 AS AMENDED

Moved by: Borglum

Second by: Johns

Action: Prevailed by roll call vote (12-0-1-0)

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

Excused: Pourier

MOTION: ADJOURN

Moved by: Reimer

Second by: Pischke

Action: Prevailed by voice vote

Nancy Bugay, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair