

Committee: House Judiciary

Friday, February 21, 2020 10:00 AM

Roll Call

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

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hansen

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 19TH

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

HB 1108 : adopt the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act.

Presented by: Representative Johns

MOTION: DO PASS HB 1108

Moved by: Borglum
Second by: Pourier
Action: Prevailed by Majority Members Elect (12-0-1-0)

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

Excused: St. John

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1108 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1139 : require the payment of attorney's fees in cases addressing noncompliance with visitation orders.

Presented by: Representative Tom Pischke
Proponents: Jay Miles, self, Egan SD
Matt Doyle, self, Brookings, SD
Opponents: Greg Sattizahn, Unified Judicial System
Steve Siegel, South Dakota Trial Lawyers Association, Sioux Falls, SD

MOTION: DEFER HB 1139 TO THE 41ST LEGISLATIVE DAY

Moved by: Cwach
Second by: Pourier
Action: Prevailed by Majority Members Elect (9-3-1-0)

Voting Yes: Barthel, Borglum, Diedrich, Hammock, Reimer, Cwach, Pourier, Johns, and Hansen

Voting No: Latterell, Pischke, and Rasmussen

Excused: St. John

HB 1140 : provide for a regular review of parenting guidelines.

Presented by: Representative Tom Pischke
Proponents: Greg Sattizahn, Unified Judicial System

MOTION: AMEND HB 1140

1140A

On page 1, line 15, of the Introduced bill, delete "Prior to December 31, 2020, and at least once every five years thereafter, the state court administrator shall provide for a public hearing process to review the standard guidelines and to recommend any amendments deemed to be necessary." and insert "

The Supreme Court shall establish rules pursuant to § 16-3-1 to provide for a public hearing process to review the standard guidelines and to recommend any amendments deemed to be necessary."

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

MOTION: DO PASS HB 1140 AS AMENDED

Moved by: Johns
Second by: Hammock
Action: Prevailed by Majority Members Elect (12-0-1-0)

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

Excused: St. John

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1140 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1149 : establish qualifications for child custody evaluators.

Presented by: Representative Tom Pischke
Opponents: Greg Sattizahn, Unified Judicial System

MOTION: DEFER HB 1149 TO THE 41ST LEGISLATIVE DAY

Moved by: Cwach
Second by: Pourier
Action: Prevailed by Majority Members Elect (10-2-1-0)

Voting Yes: Barthel, Borglum, Diedrich, Latterell, Rasmussen, Reimer, Cwach, Pourier, Johns, and Hansen

Voting No: Hammock and Pischke

Excused: St. John

HB 1244 : authorize forensic medical examinations for certain persons.

Presented by: Representative Tim Reed

Proponents: Dianna Miller, SD Network Against Family Violence
Brandy Rhead, SD Disability Rights, Rapid City, SD Call-in

MOTION: DO PASS HB 1244 AS AMENDED

Moved by: Barthel

Second by: Borglum

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

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

Excused: St. John

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1244 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1068 : include out-of-state convictions for the basis of an enhanced penalty for the crime of stalking.

Presented by: Representative Jon Hansen

Proponents: Crystal Johnson, Minnehaha Country State Attorney, Sioux Falls, SD
Dianna Miller, SD Network Against Family Violence

MOTION: DO PASS HB 1068

Moved by: Reimer

Second by: Borglum

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

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

Excused: St. John

HB 1179 : authorize series limited liability companies.

Presented by: Representative Jon Hansen

Proponents: Heath Oberloh, SD State Bar, Sioux Falls, SD
Representative Bartels
Debra Owen, Sioux Falls Area Chamber of Commerce

Rick Vallery, GOED, Pierre, SD
Emily Kerr, Secretary of State

MOTION: DO PASS HB 1179

Moved by: Pischke
Second by: Hammock
Action: Prevailed by Majority Members Elect (12-0-1-0)

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

Excused: St. John

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1179 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

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

Nancy Bugay, Committee Secretary

/s/ JON HANSEN
Jon Hansen, Chair