

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

808D0641

## HOUSE BILL NO. 1165

Introduced by: Representative Koehn

1 FOR AN ACT ENTITLED, An Act to revise the elements of the crime of bigamy.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 22-22-15 be amended to read as follows:

4 22-22-15. ~~Every~~ Any person who, ~~having been~~ while married to another presently living  
5 person, marries any other person knowing that he or she is legally married to another presently  
6 living person, is guilty of bigamy. This section does not apply ~~or extend~~ to:

7 (1) Any person ~~who was~~, previously married ~~and~~, whose husband or wife by that former  
8 marriage has been absent for five successive years without being known to be living  
9 by such person;

10 (2) Any person ~~who was~~, previously married ~~and~~, whose husband or wife by that former  
11 marriage has absented himself or herself from ~~his or her~~ such spouse by being outside  
12 the United States, continuously for five years;

13 (3) Any person ~~who was~~, previously married ~~and~~, whose marriage has been pronounced  
14 void, annulled, or dissolved by a competent court; or

15 (4) Any person, previously married, who believes, in good faith, and has reason to  
16 believe, that the previous marriage has been pronounced void, annulled, or dissolved  
17 by a competent court.

1 Bigamy is a Class 6 felony.