

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

808D0641

SENATE JUDICIARY COMMITTEE
ENGROSSED NO. **HB1165** - 2/15/00

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, is guilty of bigamy. This section does not apply ~~or extend to:~~

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

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

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

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

1 Bigamy is a Class 6 felony.

1 **BILL HISTORY**

2 1/19/00 First read in House and referred to Judiciary. H.J. 135

3 1/26/00 Scheduled for Committee hearing on this date.

4 1/26/00 Judiciary Do Pass, Passed, AYES 9, NAYS 4. H.J. 251

5 1/27/00 House of Representatives Do Pass, Passed, AYES 56, NAYS 8. H.J. 276

6 1/28/00 First read in Senate and referred to Judiciary. S.J. 245

7 2/11/00 Scheduled for Committee hearing on this date.

8 2/14/00 Scheduled for Committee hearing on this date.

9 2/14/00 Judiciary Do Pass Amended, Passed, AYES 6, NAYS 0. S.J. 468

10 2/14/00 Judiciary Place on Consent Calendar.