

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

841D0710

HOUSE ENGROSSED NO. **HB1266** - 2/10/00

Introduced by: Representatives Hunt, Apa, Brooks, Brown (Richard), Duenwald, Eccarius, Fitzgerald, Fryslie, Heineman, Klaudt, Koskan, Lucas, Monroe, Peterson, Smidt, Volesky, and Young and Senators Dunn (Rebecca), Everist, and Olson

1 FOR AN ACT ENTITLED, An Act to increase marriage license fees and to allow for a lower
2 fee if the applicants complete premarital counseling.

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

4 Section 1. That § 25-1-10 be amended to read as follows:

5 25-1-10. Previous to any marriage within this state, a license shall be obtained from the
6 county register of deeds of any county, the fee for which is ~~forty~~ seventy dollars, except as
7 provided in section 2 of this Act. ~~Ten~~ Fifteen dollars of the marriage license fee shall be retained
8 by the county in which the fee is collected and placed in the county general fund. ~~Thirty~~ Fifty-five
9 dollars of the marriage license fee shall be deposited in the county domestic abuse program fund.
10 The license and record of marriage form shall be prescribed and furnished by the Department of
11 Health. Certified copies of the marriage record shall be furnished by the county register of deeds
12 for a fee of ~~seven~~ ten dollars which shall be retained by the county in which the fee is collected
13 and placed in the county general fund.

14 Section 2. That chapter 25-10 be amended by adding thereto a NEW SECTION to read as
15 follows:

16 If the applicants for a marriage license produce written evidence, signed by a premarital

1 education provider, qualified in accordance with section 3 of this Act, of the applicants'
2 completion of premarital education, the applicants may obtain a marriage license for a fee of
3 forty dollars, ten dollars of which shall be retained by the county in which the fee is collected and
4 placed in the county general fund. The remaining thirty dollars of the marriage license fee shall
5 be deposited in the county domestic abuse program fund.

6 Section 3. That chapter 25-10 be amended by adding thereto a NEW SECTION to read as
7 follows:

8 The premarital education described in section 2 of this Act shall consist of at least four hours
9 of instruction to prepare the applicants for marriage, including communication skills, financial
10 management, conflict resolution, parenting skills, and marriage resources. The premarital
11 education shall be provided by an official representative of a religious institution, any member
12 of the clergy authorized to perform marriages, any agent designated by a member of the clergy
13 authorized to perform marriages, a licensed behavioral health professional, a psychologist
14 licensed pursuant chapter 36-27A, a marriage and family therapist licensed pursuant to chapter
15 36-33, a social worker certified or licensed pursuant chapter 36-26, or a counselor licensed or
16 certified pursuant chapter 36-32. A provider of premarital education shall file with the county
17 register of deeds for the county in which the provider intends to provide premarital education
18 and proof of the provider's qualifications. The provider shall pay a filing registration fee of ten
19 dollars. The filing is valid for six years and the biennial renewal fee is ten dollars.

20 Section 4. That chapter 25-10 be amended by adding thereto a NEW SECTION to read as
21 follows:

22 The county register of deeds shall advise each applicant for a marriage license of this Act
23 before providing the applicant with a marriage license application.

1 **BILL HISTORY**

2 1/24/00 First read in House and referred to committee assignment waived. H.J. 196

3 1/25/00 Referred to State Affairs.

4 2/4/00 Scheduled for Committee hearing on this date.

5 2/4/00 State Affairs Do Pass Amended, Passed, AYES 11, NAYS 1. H.J. 428

6 2/8/00 House of Representatives Deferred to another day. H.J. 509

7 2/9/00 Motion to Amend, Passed. H.J. 541

8 2/9/00 House of Representatives Do Pass Amended, Passed, AYES 50, NAYS 19. H.J. 541