

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

337E0252

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1144** - 01/29/2001

Introduced by: Representatives Kooistra, Garnos, and McCoy and Senator Staggers

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to child custody.

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

3 Section 1. That chapter 25-5 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 No parent entitled to the custody of a child may change the residence of the child to another
6 state or remove the child a distance of greater than fifty miles from the noncustodial parent for
7 a period of time exceeding sixty days except upon an order of the court which has continuing
8 jurisdiction concerning the custody of the child or with the written consent of every other person
9 who has a right to custody or visitation with the child.

10 Section 2. That § 25-5-13 be repealed.

11 ~~— 25-5-13. A parent entitled to the custody of a child has the right to change his residence,~~
12 ~~subject to the power of the circuit court to restrain a removal which would prejudice the rights~~
13 ~~or welfare of the child.~~

14 Section 3. That § 25-5-7.3 be amended to read as follows:

15 25-5-7.3. Notwithstanding any other provision of law, access to records and information

1 pertaining to a minor child, including, but not limited to, medical, including counseling, dental,
2 including orthodontia, optometric and similar health care, and school records, may not be denied
3 to a parent because such parent is not the child's primary residential parent. No parent may deny
4 the access requested by the other parent.