

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0333 **HOUSE APPROPRIATIONS COMMITTEE ENGROSSED**
NO. HB 1015 - 02/13/2001

Introduced by: The Committee on Appropriations at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to provide for the
2 renovation of the entrance, parking, and garage facilities located at the South Dakota School
3 for the Deaf in Sioux Falls, Minnehaha County, and to make an appropriation therefor.

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

5 Section 1. The Board of Regents may provide for the renovation of the entrance, parking,
6 and garage facilities located at the South Dakota School for the Deaf in Sioux Falls, Minnehaha
7 County, including the construction of a new entryway to the campus, the sale, exchange, or
8 demolition of existing garages and construction of suitable replacement structures, and the
9 resurfacing and expansion of off-street parking facilities, to which ends the Board of Regents
10 may provide for asbestos abatement, architectural and engineering services, site preparation, the
11 construction of sidewalks and driveways, landscaping the grounds of that facility, and such other
12 services as may be required to accomplish the purposes of this Act, all for the estimated cost of
13 three hundred fifty thousand dollars (\$350,000), which amount is appropriated from any
14 proceeds realized from any sale of structures pursuant to this Act, from other funds appropriated
15 to the South Dakota School for the Deaf.

1 Section 2. The Board of Regents may accept, transfer, and expend any funds obtained for
2 these purposes from federal sources, gifts, contributions, or any other sources, all of which shall
3 be deemed appropriated to the purposes of this Act.

4 Section 3. The design and construction of the renovation of the entrance, parking, and garage
5 facilities shall be under the general charge and supervision of the Bureau of Administration as
6 provided in chapter 5-14. The commissioner of the Bureau of Administration and the executive
7 director of the Board of Regents shall approve vouchers and the state auditor shall draw
8 warrants to pay expenditures authorized by this Act.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0315

HOUSE JUDICIARY COMMITTEE ENGROSSED NO. **HB 1032** - 01/16/2001

Introduced by: The Committee on Judiciary at the request of the South Dakota
Commission on Child Support

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

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

3 Section 1. That § 25-7-6.2 be amended to read as follows:

4 25-7-6.2. The child support obligation shall be established in accordance with the **combined**
5 ~~monthly net income of both parents as provided in the~~ following schedule subject to such
6 revisions or deviations as may be permitted pursuant to §§ 25-7-6.1 to ~~25-7-6.17~~ 25-7-6.18,
7 inclusive. Except as provided in this chapter, the combined monthly net incomes of both parents
8 shall be used in determining the obligation and divided proportionately between the parents based
9 upon their respective net incomes. The noncustodial parent's proportionate share establishes the
10 amount of the child support order.

11 If the obligation using only the noncustodial parent's monthly net income is an obligation
12 within the emboldened areas of the schedule, that amount shall be compared to the noncustodial
13 parent's proportionate share using both parents' monthly net incomes. The lesser amount
14 establishes the noncustodial parent's child support order.

1	Combined						
2	Net						
3	Monthly	One	Two	Three	Four	Five	Six
4	Income	Child	Children	Children	Children	Children	Children
5	0-1,000	50	50	50	50	50	50
6	1,050	74	75	76	77	78	78
7	1,100	119	121	122	123	125	126
8	1,150	164	166	168	170	172	173
9	1,200	209	212	214	216	219	221
10	1,250	254	257	260	263	266	268
11	1,300	299	303	306	309	313	316
12	1,350	322	348	352	356	360	363
13	1,400	333	394	398	402	407	411
14	1,450	344	439	444	449	454	458
15	1,500	355	485	490	495	501	506
16	1,550	366	530	536	542	548	553
17	1,600	378	547	582	588	595	601
18	1,650	389	563	628	635	642	648
19	1,700	400	579	674	681	689	696
20	1,750	411	595	701	728	736	743
21	1,800	422	611	719	774	783	791
22	1,850	434	627	737	815	830	838
23	1,900	443	641	754	833	877	886
24	1,950	452	654	769	849	921	933
25	2,000	460	666	783	866	938	981
26	2,050	469	678	798	882	956	1,023
27	2,100	477	691	813	898	974	1,042
28	2,150	485	703	828	914	991	1,061

1	2,200	494	715	842	931	1,009	1,079
2	2,250	502	728	857	947	1,026	1,098
3	2,300	510	739	870	962	1,043	1,116
4	2,350	515	745	878	970	1,051	1,125
5	2,400	520	752	885	978	1,060	1,134
6	2,450	524	758	892	986	1,068	1,143
7	2,500	529	765	899	993	1,077	1,152
8	2,550	534	771	906	1,001	1,085	1,161
9	2,600	538	778	913	1,009	1,094	1,171
10	2,650	543	784	921	1,017	1,103	1,180
11	2,700	548	791	928	1,025	1,111	1,189
12	2,750	555	800	938	1,037	1,124	1,203
13	2,800	562	810	950	1,050	1,138	1,217
14	2,850	569	820	961	1,062	1,151	1,232
15	2,900	576	830	973	1,075	1,165	1,247
16	2,950	583	840	984	1,088	1,179	1,262
17	3,000	590	850	996	1,100	1,193	1,276
18	3,050	598	860	1,007	1,113	1,207	1,291
19	3,100	605	870	1,019	1,126	1,220	1,306
20	3,150	611	880	1,030	1,138	1,234	1,320
21	3,200	618	889	1,041	1,150	1,247	1,334
22	3,250	624	898	1,052	1,163	1,260	1,348
23	3,300	630	907	1,063	1,175	1,273	1,363
24	3,350	637	917	1,074	1,187	1,287	1,377
25	3,400	643	926	1,085	1,199	1,300	1,391
26	3,450	649	935	1,096	1,211	1,313	1,405
27	3,500	656	944	1,107	1,233	1,326	1,419
28	3,550	662	954	1,118	1,236	1,340	1,433
29	3,600	670	965	1,131	1,249	1,354	1,449

1	3,650	677	975	1,143	1,263	1,369	1,465
2	3,700	685	986	1,155	1,276	1,384	1,480
3	3,750	692	997	1,167	1,290	1,398	1,496
4	3,800	700	1,007	1,180	1,303	1,413	1,512
5	3,850	707	1,018	1,192	1,317	1,428	1,527
6	3,900	715	1,028	1,204	1,330	1,442	1,543
7	3,950	723	1,039	1,216	1,344	1,457	1,559
8	4,000	729	1,049	1,227	1,356	1,470	1,573
9	4,050	736	1,058	1,238	1,369	1,483	1,587
10	4,100	742	1,067	1,249	1,381	1,497	1,601
11	4,150	749	1,077	1,261	1,393	1,510	1,616
12	4,200	755	1,086	1,272	1,405	1,523	1,630
13	4,250	762	1,096	1,283	1,417	1,536	1,644
14	4,300	768	1,105	1,294	1,429	1,549	1,658
15	4,350	775	1,114	1,305	1,442	1,563	1,672
16	4,400	781	1,124	1,316	1,454	1,576	1,686
17	4,450	788	1,133	1,327	1,466	1,589	1,700
18	4,500	794	1,143	1,338	1,478	1,602	1,714
19	4,550	801	1,152	1,349	1,490	1,615	1,729
20	4,600	807	1,161	1,359	1,502	1,628	1,742
21	4,600	812	1,168	1,368	1,512	1,639	1,754
22	4,700	817	1,176	1,377	1,522	1,650	1,765
23	4,750	822	1,183	1,386	1,532	1,661	1,777
24	4,800	826	1,190	1,396	1,542	1,672	1,789
25	4,850	831	1,198	1,405	1,552	1,683	1,800
26	4,900	836	1,205	1,414	1,562	1,694	1,812
27	4,950	841	1,213	1,423	1,572	1,705	1,824
28	5,000	846	1,220	1,432	1,583	1,716	1,836
29	5,050	851	1,228	1,441	1,593	1,727	1,847

1	5,100	856	1,235	1,451	1,603	1,737	1,859
2	5,150	861	1,243	1,460	1,613	1,748	1,871
3	5,200	866	1,250	1,469	1,623	1,759	1,883
4	5,250	871	1,257	1,478	1,633	1,770	1,894
5	5,300	876	1,265	1,487	1,643	1,781	1,906
6	5,350	880	1,272	1,496	1,653	1,792	1,918
7	5,400	885	1,280	1,505	1,663	1,803	1,929
8	5,450	891	1,288	1,516	1,675	1,816	1,943
9	5,500	898	1,298	1,527	1,687	1,829	1,957
10	5,550	904	1,307	1,538	1,699	1,842	1,971
11	5,600	911	1,316	1,549	1,711	1,855	1,985
12	5,650	917	1,326	1,560	1,723	1,868	1,999
13	5,700	923	1,335	1,571	1,735	1,881	2,013
14	5,750	930	1,344	1,582	1,748	1,894	2,027
15	5,800	936	1,353	1,592	1,760	1,907	2,041
16	5,850	943	1,363	1,603	1,772	1,921	2,055
17	5,900	949	1,372	1,614	1,784	1,934	2,069
18	5,950	955	1,381	1,625	1,796	1,947	2,083
19	6,000	962	1,390	1,636	1,808	1,960	2,097
20	6,050	968	1,400	1,647	1,820	1,973	2,111
21	6,100	975	1,409	1,658	1,832	1,986	2,125
22	6,150	981	1,418	1,669	1,844	1,999	2,139
23	6,200	987	1,427	1,680	1,856	2,012	2,153
24	6,250	994	1,437	1,691	1,869	2,026	2,167
25	6,300	1,000	1,446	1,702	1,881	2,039	2,181
26	6,350	1,007	1,455	1,713	1,893	2,052	2,195
27	6,400	1,013	1,465	1,724	1,905	2,065	2,209
28	6,450	1,019	1,474	1,735	1,917	2,078	2,223
29	6,500	1,026	1,483	1,746	1,929	2,091	2,238

1	6,550	1,032	1,492	1,757	1,941	2,104	2,252
2	6,600	1,039	1,502	1,768	1,953	2,117	2,266
3	6,650	1,045	1,511	1,779	1,965	2,130	2,280
4	6,700	1,051	1,520	1,790	1,977	2,144	2,294
5	6,750	1,058	1,529	1,801	1,990	2,157	2,308
6	6,800	1,064	1,539	1,811	2,002	2,170	2,322
7	6,850	1,071	1,548	1,822	2,014	2,183	2,336
8	6,900	1,077	1,557	1,833	2,026	2,196	2,350
9	6,950	1,083	1,567	1,844	2,038	2,209	2,364
10	7,000	1,090	1,576	1,855	2,050	2,222	2,378
11	7,050	1,096	1,585	1,866	2,062	2,235	2,392
12	7,100	1,102	1,594	1,877	2,074	2,248	2,405
13	7,150	1,108	1,602	1,886	2,084	2,259	2,417
14	7,200	1,113	1,610	1,895	2,094	2,270	2,429
15	7,250	1,118	1,617	1,904	2,104	2,281	2,441
16	7,300	1,124	1,625	1,914	2,115	2,292	2,453
17	7,350	1,129	1,633	1,923	2,125	2,303	2,465
18	7,400	1,135	1,641	1,932	2,135	2,315	2,477
19	7,450	1,140	1,649	1,942	2,146	2,326	2,489
20	7,500	1,145	1,657	1,951	2,156	2,337	2,500
21	7,550	1,151	1,664	1,960	2,166	2,348	2,512
22	7,600	1,156	1,672	1,970	2,176	2,359	2,524
23	7,650	1,161	1,680	1,979	2,187	2,370	2,536
24	7,700	1,167	1,688	1,988	2,197	2,381	2,548
25	7,750	1,172	1,696	1,997	2,207	2,393	2,560
26	7,800	1,178	1,704	2,007	2,217	2,404	2,572
27	7,850	1,183	1,712	2,016	2,228	2,415	2,584
28	7,900	1,188	1,719	2,025	2,238	2,426	2,596
29	7,950	1,194	1,727	2,035	2,248	2,437	2,608

1	8,000	1,199	1,735	2,044	2,258	2,448	2,620
2	8,050	1,205	1,743	2,053	2,269	2,459	2,632
3	8,100	1,210	1,751	2,062	2,279	2,471	2,643
4	8,150	1,215	1,759	2,072	2,289	2,482	2,655
5	8,200	1,221	1,767	2,081	2,300	2,493	2,667
6	8,250	1,226	1,774	2,090	2,310	2,504	2,679
7	8,300	1,231	1,782	2,100	2,320	2,515	2,691
8	8,350	1,237	1,790	2,109	2,330	2,526	2,703
9	8,400	1,242	1,798	2,118	2,341	2,537	2,715
10	8,450	1,248	1,806	2,128	2,351	2,548	2,727
11	8,500	1,253	1,814	2,137	2,361	2,560	2,739
12	8,550	1,258	1,821	2,146	2,371	2,571	2,751
13	8,600	1,264	1,829	2,155	2,382	2,582	2,763
14	8,650	1,269	2,837	2,165	2,392	2,593	2,775
15	8,700	1,275	1,845	2,174	2,402	2,604	2,786
16	8,750	1,280	1,853	2,183	2,413	2,615	2,798
17	8,800	1,285	1,861	2,193	2,423	2,626	2,810
18	8,850	1,291	1,869	2,202	2,433	2,638	2,822
19	8,900	1,296	1,876	2,211	2,443	2,649	2,834
20	8,950	1,301	1,884	2,221	2,454	2,660	2,846
21	9,000	1,307	1,892	2,230	2,464	2,671	2,858
22	9,050	1,312	1,900	2,239	2,474	2,682	2,870
23	9,100	1,318	1,908	2,248	2,484	2,693	2,882
24	9,150	1,323	1,916	2,258	2,495	2,704	2,894
25	9,200	1,328	1,924	2,267	2,505	2,715	2,906
26	9,250	1,334	1,931	2,276	2,515	2,727	2,918
27	9,300	1,339	1,939	2,286	2,526	2,738	2,929
28	9,350	1,345	1,947	2,295	2,536	2,749	2,941
29	9,400	1,350	1,955	2,304	2,546	2,760	2,953

1	9,450	1,355	1,963	2,313	2,556	2,771	2,965
2	9,500	1,361	1,971	2,323	2,567	2,782	2,977
3	9,550	1,366	1,978	2,332	2,577	2,793	2,989
4	9,600	1,371	1,986	2,341	2,587	2,805	3,001
5	9,650	1,377	1,994	2,351	2,597	2,816	3,013
6	9,700	1,382	2,002	2,360	2,608	2,827	3,025
7	9,750	1,388	2,010	2,369	2,618	2,838	3,037
8	9,800	1,393	2,018	2,379	2,628	2,849	3,049
9	9,850	1,398	2,026	2,388	2,638	2,860	3,060
10	9,900	1,404	2,033	2,397	2,649	2,871	3,072
11	9,950	1,409	2,041	2,406	2,659	2,883	3,084
12	10,000	1,415	2,049	2,416	2,669	2,894	3,096

13 ~~—The child support obligation from the schedule shall be divided proportionately between the~~
14 ~~parents, based upon their respective net incomes. The share of the custodial parent is presumed~~
15 ~~to be spent directly for the benefit of the child. The share of the noncustodial parent establishes~~
16 ~~the amount of the child support order.~~

17 Monthly

18	<u>Net</u>	<u>One</u>	<u>Two</u>	<u>Three</u>	<u>Four</u>	<u>Five</u>	<u>Six</u>
19	<u>Income</u>	<u>Child</u>	<u>Children</u>	<u>Children</u>	<u>Children</u>	<u>Children</u>	<u>Children</u>
20	<u>0-800</u>	<u>100</u>	<u>150</u>	<u>180</u>	<u>200</u>	<u>220</u>	<u>240</u>
21	<u>850</u>	<u>125</u>	<u>175</u>	<u>205</u>	<u>225</u>	<u>245</u>	<u>265</u>
22	<u>900</u>	<u>150</u>	<u>200</u>	<u>230</u>	<u>250</u>	<u>270</u>	<u>290</u>
23	<u>950</u>	<u>175</u>	<u>225</u>	<u>255</u>	<u>275</u>	<u>295</u>	<u>315</u>
24	<u>1,000</u>	<u>200</u>	<u>250</u>	<u>280</u>	<u>300</u>	<u>320</u>	<u>340</u>
25	<u>1,050</u>	<u>225</u>	<u>275</u>	<u>305</u>	<u>325</u>	<u>345</u>	<u>365</u>
26	<u>1,100</u>	<u>250</u>	<u>300</u>	<u>330</u>	<u>350</u>	<u>370</u>	<u>390</u>
27	<u>1,150</u>	<u>275</u>	<u>325</u>	<u>355</u>	<u>375</u>	<u>395</u>	<u>415</u>

1	<u>1,200</u>	<u>291</u>	<u>350</u>	<u>380</u>	<u>400</u>	<u>420</u>	<u>440</u>
2	<u>1,250</u>	<u>302</u>	<u>375</u>	<u>405</u>	<u>425</u>	<u>445</u>	<u>465</u>
3	<u>1,300</u>	<u>313</u>	<u>400</u>	<u>430</u>	<u>450</u>	<u>470</u>	<u>490</u>
4	<u>1,350</u>	<u>324</u>	<u>425</u>	<u>455</u>	<u>475</u>	<u>495</u>	<u>515</u>
5	<u>1,400</u>	<u>336</u>	<u>450</u>	<u>480</u>	<u>500</u>	<u>520</u>	<u>540</u>
6	<u>1,450</u>	<u>347</u>	<u>475</u>	<u>505</u>	<u>525</u>	<u>545</u>	<u>565</u>
7	<u>1,500</u>	<u>358</u>	<u>500</u>	<u>530</u>	<u>550</u>	<u>570</u>	<u>590</u>
8	<u>1,550</u>	<u>369</u>	<u>525</u>	<u>555</u>	<u>575</u>	<u>595</u>	<u>615</u>
9	<u>1,600</u>	<u>380</u>	<u>550</u>	<u>580</u>	<u>600</u>	<u>620</u>	<u>640</u>
10	<u>1,650</u>	<u>391</u>	<u>566</u>	<u>605</u>	<u>625</u>	<u>645</u>	<u>665</u>
11	<u>1,700</u>	<u>402</u>	<u>582</u>	<u>630</u>	<u>650</u>	<u>670</u>	<u>690</u>
12	<u>1,750</u>	<u>413</u>	<u>598</u>	<u>655</u>	<u>675</u>	<u>695</u>	<u>715</u>
13	<u>1,800</u>	<u>424</u>	<u>615</u>	<u>680</u>	<u>700</u>	<u>720</u>	<u>740</u>
14	<u>1,850</u>	<u>436</u>	<u>631</u>	<u>705</u>	<u>725</u>	<u>745</u>	<u>765</u>
15	<u>1,900</u>	<u>447</u>	<u>647</u>	<u>730</u>	<u>750</u>	<u>770</u>	<u>790</u>
16	<u>1,950</u>	<u>458</u>	<u>663</u>	<u>755</u>	<u>775</u>	<u>795</u>	<u>815</u>
17	<u>2,000</u>	<u>469</u>	<u>679</u>	<u>780</u>	<u>800</u>	<u>820</u>	<u>840</u>
18	<u>2,050</u>	<u>480</u>	<u>695</u>	<u>805</u>	<u>825</u>	<u>845</u>	<u>865</u>
19	<u>2,100</u>	<u>491</u>	<u>710</u>	<u>830</u>	<u>850</u>	<u>870</u>	<u>890</u>
20	<u>2,150</u>	<u>499</u>	<u>722</u>	<u>849</u>	<u>875</u>	<u>895</u>	<u>915</u>
21	<u>2,200</u>	<u>508</u>	<u>734</u>	<u>864</u>	<u>900</u>	<u>920</u>	<u>940</u>
22	<u>2,250</u>	<u>516</u>	<u>747</u>	<u>879</u>	<u>925</u>	<u>945</u>	<u>965</u>
23	<u>2,300</u>	<u>524</u>	<u>759</u>	<u>893</u>	<u>950</u>	<u>970</u>	<u>990</u>
24	<u>2,350</u>	<u>533</u>	<u>771</u>	<u>908</u>	<u>975</u>	<u>995</u>	<u>1,015</u>
25	<u>2,400</u>	<u>541</u>	<u>784</u>	<u>923</u>	<u>1,000</u>	<u>1,020</u>	<u>1,040</u>
26	<u>2,450</u>	<u>550</u>	<u>796</u>	<u>937</u>	<u>1,025</u>	<u>1,045</u>	<u>1,065</u>
27	<u>2,500</u>	<u>558</u>	<u>808</u>	<u>952</u>	<u>1,050</u>	<u>1,070</u>	<u>1,090</u>
28	<u>2,550</u>	<u>566</u>	<u>820</u>	<u>966</u>	<u>1,068</u>	<u>1,095</u>	<u>1,115</u>
29	<u>2,600</u>	<u>571</u>	<u>827</u>	<u>973</u>	<u>1,075</u>	<u>1,120</u>	<u>1,140</u>

1	<u>2,650</u>	<u>576</u>	<u>833</u>	<u>980</u>	<u>1,083</u>	<u>1,145</u>	<u>1,165</u>
2	<u>2,700</u>	<u>580</u>	<u>840</u>	<u>988</u>	<u>1,091</u>	<u>1,170</u>	<u>1,190</u>
3	<u>2,750</u>	<u>585</u>	<u>846</u>	<u>995</u>	<u>1,099</u>	<u>1,191</u>	<u>1,215</u>
4	<u>2,800</u>	<u>590</u>	<u>852</u>	<u>1,002</u>	<u>1,107</u>	<u>1,200</u>	<u>1,240</u>
5	<u>2,850</u>	<u>594</u>	<u>859</u>	<u>1,009</u>	<u>1,115</u>	<u>1,209</u>	<u>1,265</u>
6	<u>2,900</u>	<u>599</u>	<u>865</u>	<u>1,016</u>	<u>1,123</u>	<u>1,217</u>	<u>1,290</u>
7	<u>2,950</u>	<u>604</u>	<u>872</u>	<u>1,023</u>	<u>1,131</u>	<u>1,226</u>	<u>1,312</u>
8	<u>3,000</u>	<u>609</u>	<u>878</u>	<u>1,030</u>	<u>1,139</u>	<u>1,234</u>	<u>1,321</u>
9	<u>3,050</u>	<u>615</u>	<u>888</u>	<u>1,041</u>	<u>1,150</u>	<u>1,247</u>	<u>1,334</u>
10	<u>3,100</u>	<u>622</u>	<u>898</u>	<u>1,053</u>	<u>1,163</u>	<u>1,261</u>	<u>1,349</u>
11	<u>3,150</u>	<u>630</u>	<u>908</u>	<u>1,064</u>	<u>1,176</u>	<u>1,275</u>	<u>1,364</u>
12	<u>3,200</u>	<u>637</u>	<u>918</u>	<u>1,076</u>	<u>1,189</u>	<u>1,288</u>	<u>1,379</u>
13	<u>3,250</u>	<u>644</u>	<u>928</u>	<u>1,087</u>	<u>1,201</u>	<u>1,302</u>	<u>1,393</u>
14	<u>3,300</u>	<u>651</u>	<u>938</u>	<u>1,099</u>	<u>1,214</u>	<u>1,316</u>	<u>1,408</u>
15	<u>3,350</u>	<u>658</u>	<u>948</u>	<u>1,110</u>	<u>1,227</u>	<u>1,330</u>	<u>1,423</u>
16	<u>3,400</u>	<u>665</u>	<u>958</u>	<u>1,122</u>	<u>1,239</u>	<u>1,343</u>	<u>1,438</u>
17	<u>3,450</u>	<u>673</u>	<u>968</u>	<u>1,133</u>	<u>1,252</u>	<u>1,357</u>	<u>1,452</u>
18	<u>3,500</u>	<u>679</u>	<u>977</u>	<u>1,144</u>	<u>1,265</u>	<u>1,371</u>	<u>1,467</u>
19	<u>3,550</u>	<u>686</u>	<u>987</u>	<u>1,155</u>	<u>1,277</u>	<u>1,384</u>	<u>1,481</u>
20	<u>3,600</u>	<u>692</u>	<u>996</u>	<u>1,166</u>	<u>1,289</u>	<u>1,397</u>	<u>1,495</u>
21	<u>3,650</u>	<u>698</u>	<u>1,005</u>	<u>1,177</u>	<u>1,301</u>	<u>1,410</u>	<u>1,509</u>
22	<u>3,700</u>	<u>705</u>	<u>1,014</u>	<u>1,188</u>	<u>1,313</u>	<u>1,423</u>	<u>1,523</u>
23	<u>3,750</u>	<u>711</u>	<u>1,024</u>	<u>1,199</u>	<u>1,325</u>	<u>1,437</u>	<u>1,537</u>
24	<u>3,800</u>	<u>717</u>	<u>1,033</u>	<u>1,210</u>	<u>1,337</u>	<u>1,450</u>	<u>1,551</u>
25	<u>3,850</u>	<u>723</u>	<u>1,042</u>	<u>1,221</u>	<u>1,350</u>	<u>1,463</u>	<u>1,565</u>
26	<u>3,900</u>	<u>730</u>	<u>1,051</u>	<u>1,232</u>	<u>1,362</u>	<u>1,476</u>	<u>1,579</u>
27	<u>3,950</u>	<u>737</u>	<u>1,061</u>	<u>1,244</u>	<u>1,374</u>	<u>1,490</u>	<u>1,594</u>
28	<u>4,000</u>	<u>744</u>	<u>1,072</u>	<u>1,256</u>	<u>1,388</u>	<u>1,505</u>	<u>1,610</u>
29	<u>4,050</u>	<u>752</u>	<u>1,082</u>	<u>1,268</u>	<u>1,401</u>	<u>1,519</u>	<u>1,626</u>

1	<u>4,100</u>	<u>759</u>	<u>1,093</u>	<u>1,281</u>	<u>1,415</u>	<u>1,534</u>	<u>1,641</u>
2	<u>4,150</u>	<u>767</u>	<u>1,104</u>	<u>1,293</u>	<u>1,429</u>	<u>1,549</u>	<u>1,657</u>
3	<u>4,200</u>	<u>774</u>	<u>1,114</u>	<u>1,305</u>	<u>1,442</u>	<u>1,563</u>	<u>1,673</u>
4	<u>4,250</u>	<u>782</u>	<u>1,125</u>	<u>1,317</u>	<u>1,456</u>	<u>1,578</u>	<u>1,688</u>
5	<u>4,300</u>	<u>789</u>	<u>1,136</u>	<u>1,330</u>	<u>1,469</u>	<u>1,593</u>	<u>1,704</u>
6	<u>4,350</u>	<u>797</u>	<u>1,146</u>	<u>1,342</u>	<u>1,483</u>	<u>1,607</u>	<u>1,720</u>
7	<u>4,400</u>	<u>804</u>	<u>1,157</u>	<u>1,354</u>	<u>1,496</u>	<u>1,622</u>	<u>1,735</u>
8	<u>4,450</u>	<u>811</u>	<u>1,166</u>	<u>1,365</u>	<u>1,508</u>	<u>1,635</u>	<u>1,749</u>
9	<u>4,500</u>	<u>817</u>	<u>1,176</u>	<u>1,376</u>	<u>1,520</u>	<u>1,648</u>	<u>1,763</u>
10	<u>4,550</u>	<u>824</u>	<u>1,185</u>	<u>1,387</u>	<u>1,533</u>	<u>1,661</u>	<u>1,778</u>
11	<u>4,600</u>	<u>830</u>	<u>1,194</u>	<u>1,398</u>	<u>1,545</u>	<u>1,674</u>	<u>1,792</u>
12	<u>4,650</u>	<u>837</u>	<u>1,204</u>	<u>1,409</u>	<u>1,557</u>	<u>1,688</u>	<u>1,806</u>
13	<u>4,700</u>	<u>843</u>	<u>1,213</u>	<u>1,420</u>	<u>1,569</u>	<u>1,701</u>	<u>1,820</u>
14	<u>4,750</u>	<u>850</u>	<u>1,222</u>	<u>1,431</u>	<u>1,581</u>	<u>1,714</u>	<u>1,834</u>
15	<u>4,800</u>	<u>856</u>	<u>1,232</u>	<u>1,442</u>	<u>1,593</u>	<u>1,727</u>	<u>1,848</u>
16	<u>4,850</u>	<u>863</u>	<u>1,241</u>	<u>1,453</u>	<u>1,606</u>	<u>1,740</u>	<u>1,862</u>
17	<u>4,900</u>	<u>869</u>	<u>1,251</u>	<u>1,464</u>	<u>1,618</u>	<u>1,754</u>	<u>1,876</u>
18	<u>4,950</u>	<u>876</u>	<u>1,260</u>	<u>1,475</u>	<u>1,630</u>	<u>1,767</u>	<u>1,891</u>
19	<u>5,000</u>	<u>882</u>	<u>1,269</u>	<u>1,486</u>	<u>1,642</u>	<u>1,780</u>	<u>1,905</u>
20	<u>5,050</u>	<u>889</u>	<u>1,279</u>	<u>1,497</u>	<u>1,654</u>	<u>1,793</u>	<u>1,919</u>
21	<u>5,100</u>	<u>895</u>	<u>1,288</u>	<u>1,508</u>	<u>1,666</u>	<u>1,806</u>	<u>1,932</u>
22	<u>5,150</u>	<u>900</u>	<u>1,295</u>	<u>1,517</u>	<u>1,676</u>	<u>1,817</u>	<u>1,944</u>
23	<u>5,200</u>	<u>905</u>	<u>1,303</u>	<u>1,526</u>	<u>1,686</u>	<u>1,828</u>	<u>1,956</u>
24	<u>5,250</u>	<u>910</u>	<u>1,310</u>	<u>1,535</u>	<u>1,696</u>	<u>1,839</u>	<u>1,968</u>
25	<u>5,300</u>	<u>915</u>	<u>1,318</u>	<u>1,544</u>	<u>1,706</u>	<u>1,850</u>	<u>1,979</u>
26	<u>5,350</u>	<u>920</u>	<u>1,325</u>	<u>1,553</u>	<u>1,717</u>	<u>1,861</u>	<u>1,991</u>
27	<u>5,400</u>	<u>925</u>	<u>1,332</u>	<u>1,563</u>	<u>1,727</u>	<u>1,872</u>	<u>2,003</u>
28	<u>5,450</u>	<u>930</u>	<u>1,340</u>	<u>1,572</u>	<u>1,737</u>	<u>1,883</u>	<u>2,014</u>
29	<u>5,500</u>	<u>934</u>	<u>1,347</u>	<u>1,581</u>	<u>1,747</u>	<u>1,894</u>	<u>2,026</u>

1	<u>5,550</u>	<u>939</u>	<u>1,355</u>	<u>1,590</u>	<u>1,757</u>	<u>1,905</u>	<u>2,038</u>
2	<u>5,600</u>	<u>944</u>	<u>1,362</u>	<u>1,599</u>	<u>1,767</u>	<u>1,916</u>	<u>2,050</u>
3	<u>5,650</u>	<u>949</u>	<u>1,370</u>	<u>1,608</u>	<u>1,777</u>	<u>1,927</u>	<u>2,061</u>
4	<u>5,700</u>	<u>954</u>	<u>1,377</u>	<u>1,618</u>	<u>1,787</u>	<u>1,938</u>	<u>2,073</u>
5	<u>5,750</u>	<u>959</u>	<u>1,384</u>	<u>1,627</u>	<u>1,797</u>	<u>1,948</u>	<u>2,085</u>
6	<u>5,800</u>	<u>964</u>	<u>1,392</u>	<u>1,636</u>	<u>1,808</u>	<u>1,959</u>	<u>2,097</u>
7	<u>5,850</u>	<u>969</u>	<u>1,399</u>	<u>1,645</u>	<u>1,818</u>	<u>1,970</u>	<u>2,108</u>
8	<u>5,900</u>	<u>974</u>	<u>1,407</u>	<u>1,654</u>	<u>1,828</u>	<u>1,981</u>	<u>2,120</u>
9	<u>5,950</u>	<u>979</u>	<u>1,414</u>	<u>1,663</u>	<u>1,838</u>	<u>1,992</u>	<u>2,132</u>
10	<u>6,000</u>	<u>984</u>	<u>1,422</u>	<u>1,672</u>	<u>1,848</u>	<u>2,003</u>	<u>2,143</u>
11	<u>6,050</u>	<u>990</u>	<u>1,430</u>	<u>1,683</u>	<u>1,860</u>	<u>2,016</u>	<u>2,157</u>
12	<u>6,100</u>	<u>996</u>	<u>1,440</u>	<u>1,694</u>	<u>1,872</u>	<u>2,029</u>	<u>2,171</u>
13	<u>6,150</u>	<u>1,002</u>	<u>1,449</u>	<u>1,705</u>	<u>1,884</u>	<u>2,042</u>	<u>2,185</u>
14	<u>6,200</u>	<u>1,009</u>	<u>1,458</u>	<u>1,716</u>	<u>1,896</u>	<u>2,055</u>	<u>2,199</u>
15	<u>6,250</u>	<u>1,015</u>	<u>1,468</u>	<u>1,727</u>	<u>1,908</u>	<u>2,068</u>	<u>2,213</u>
16	<u>6,300</u>	<u>1,022</u>	<u>1,477</u>	<u>1,738</u>	<u>1,920</u>	<u>2,081</u>	<u>2,227</u>
17	<u>6,350</u>	<u>1,028</u>	<u>1,486</u>	<u>1,749</u>	<u>1,932</u>	<u>2,094</u>	<u>2,241</u>
18	<u>6,400</u>	<u>1,034</u>	<u>1,495</u>	<u>1,760</u>	<u>1,944</u>	<u>2,108</u>	<u>2,255</u>
19	<u>6,450</u>	<u>1,041</u>	<u>1,505</u>	<u>1,770</u>	<u>1,956</u>	<u>2,121</u>	<u>2,269</u>
20	<u>6,500</u>	<u>1,047</u>	<u>1,514</u>	<u>1,781</u>	<u>1,968</u>	<u>2,134</u>	<u>2,283</u>
21	<u>6,550</u>	<u>1,054</u>	<u>1,523</u>	<u>1,792</u>	<u>1,981</u>	<u>2,147</u>	<u>2,297</u>
22	<u>6,600</u>	<u>1,060</u>	<u>1,532</u>	<u>1,803</u>	<u>1,993</u>	<u>2,160</u>	<u>2,311</u>
23	<u>6,650</u>	<u>1,066</u>	<u>1,542</u>	<u>1,814</u>	<u>2,005</u>	<u>2,173</u>	<u>2,325</u>
24	<u>6,700</u>	<u>1,073</u>	<u>1,551</u>	<u>1,825</u>	<u>2,017</u>	<u>2,186</u>	<u>2,339</u>
25	<u>6,750</u>	<u>1,079</u>	<u>1,560</u>	<u>1,836</u>	<u>2,029</u>	<u>2,199</u>	<u>2,353</u>
26	<u>6,800</u>	<u>1,086</u>	<u>1,569</u>	<u>1,847</u>	<u>2,041</u>	<u>2,212</u>	<u>2,367</u>
27	<u>6,850</u>	<u>1,092</u>	<u>1,579</u>	<u>1,858</u>	<u>2,053</u>	<u>2,226</u>	<u>2,381</u>
28	<u>6,900</u>	<u>1,098</u>	<u>1,588</u>	<u>1,869</u>	<u>2,065</u>	<u>2,239</u>	<u>2,395</u>
29	<u>6,950</u>	<u>1,105</u>	<u>1,597</u>	<u>1,880</u>	<u>2,077</u>	<u>2,252</u>	<u>2,410</u>

1	<u>7,000</u>	<u>1,111</u>	<u>1,607</u>	<u>1,891</u>	<u>2,089</u>	<u>2,265</u>	<u>2,424</u>
2	<u>7,050</u>	<u>1,118</u>	<u>1,616</u>	<u>1,902</u>	<u>2,102</u>	<u>2,278</u>	<u>2,438</u>
3	<u>7,100</u>	<u>1,124</u>	<u>1,625</u>	<u>1,913</u>	<u>2,114</u>	<u>2,291</u>	<u>2,452</u>
4	<u>7,150</u>	<u>1,130</u>	<u>1,634</u>	<u>1,924</u>	<u>2,126</u>	<u>2,304</u>	<u>2,466</u>
5	<u>7,200</u>	<u>1,137</u>	<u>1,644</u>	<u>1,935</u>	<u>2,138</u>	<u>2,317</u>	<u>2,480</u>
6	<u>7,250</u>	<u>1,143</u>	<u>1,653</u>	<u>1,946</u>	<u>2,150</u>	<u>2,331</u>	<u>2,494</u>
7	<u>7,300</u>	<u>1,150</u>	<u>1,662</u>	<u>1,957</u>	<u>2,162</u>	<u>2,344</u>	<u>2,508</u>
8	<u>7,350</u>	<u>1,156</u>	<u>1,671</u>	<u>1,968</u>	<u>2,174</u>	<u>2,357</u>	<u>2,522</u>
9	<u>7,400</u>	<u>1,162</u>	<u>1,681</u>	<u>1,979</u>	<u>2,186</u>	<u>2,370</u>	<u>2,536</u>
10	<u>7,450</u>	<u>1,169</u>	<u>1,690</u>	<u>1,989</u>	<u>2,198</u>	<u>2,383</u>	<u>2,550</u>
11	<u>7,500</u>	<u>1,175</u>	<u>1,699</u>	<u>2,000</u>	<u>2,210</u>	<u>2,396</u>	<u>2,564</u>
12	<u>7,550</u>	<u>1,182</u>	<u>1,709</u>	<u>2,011</u>	<u>2,223</u>	<u>2,409</u>	<u>2,578</u>
13	<u>7,600</u>	<u>1,188</u>	<u>1,718</u>	<u>2,022</u>	<u>2,235</u>	<u>2,422</u>	<u>2,592</u>
14	<u>7,650</u>	<u>1,194</u>	<u>1,727</u>	<u>2,033</u>	<u>2,247</u>	<u>2,435</u>	<u>2,606</u>
15	<u>7,700</u>	<u>1,201</u>	<u>1,736</u>	<u>2,044</u>	<u>2,259</u>	<u>2,449</u>	<u>2,620</u>
16	<u>7,750</u>	<u>1,207</u>	<u>1,746</u>	<u>2,055</u>	<u>2,271</u>	<u>2,462</u>	<u>2,634</u>
17	<u>7,800</u>	<u>1,214</u>	<u>1,755</u>	<u>2,066</u>	<u>2,283</u>	<u>2,475</u>	<u>2,648</u>
18	<u>7,850</u>	<u>1,220</u>	<u>1,764</u>	<u>2,077</u>	<u>2,295</u>	<u>2,488</u>	<u>2,662</u>
19	<u>7,900</u>	<u>1,226</u>	<u>1,772</u>	<u>2,087</u>	<u>2,306</u>	<u>2,500</u>	<u>2,675</u>
20	<u>7,950</u>	<u>1,231</u>	<u>1,780</u>	<u>2,096</u>	<u>2,316</u>	<u>2,511</u>	<u>2,687</u>
21	<u>8,000</u>	<u>1,237</u>	<u>1,788</u>	<u>2,105</u>	<u>2,327</u>	<u>2,522</u>	<u>2,699</u>
22	<u>8,050</u>	<u>1,242</u>	<u>1,796</u>	<u>2,115</u>	<u>2,337</u>	<u>2,533</u>	<u>2,710</u>
23	<u>8,100</u>	<u>1,247</u>	<u>1,804</u>	<u>2,124</u>	<u>2,347</u>	<u>2,544</u>	<u>2,722</u>
24	<u>8,150</u>	<u>1,253</u>	<u>1,812</u>	<u>2,133</u>	<u>2,357</u>	<u>2,555</u>	<u>2,734</u>
25	<u>8,200</u>	<u>1,258</u>	<u>1,820</u>	<u>2,143</u>	<u>2,368</u>	<u>2,567</u>	<u>2,746</u>
26	<u>8,250</u>	<u>1,263</u>	<u>1,827</u>	<u>2,152</u>	<u>2,378</u>	<u>2,578</u>	<u>2,758</u>
27	<u>8,300</u>	<u>1,269</u>	<u>1,835</u>	<u>2,161</u>	<u>2,388</u>	<u>2,589</u>	<u>2,770</u>
28	<u>8,350</u>	<u>1,274</u>	<u>1,843</u>	<u>2,171</u>	<u>2,398</u>	<u>2,600</u>	<u>2,782</u>
29	<u>8,400</u>	<u>1,280</u>	<u>1,851</u>	<u>2,180</u>	<u>2,409</u>	<u>2,611</u>	<u>2,794</u>

1	<u>8,450</u>	<u>1,285</u>	<u>1,859</u>	<u>2,189</u>	<u>2,419</u>	<u>2,622</u>	<u>2,806</u>
2	<u>8,500</u>	<u>1,290</u>	<u>1,867</u>	<u>2,198</u>	<u>2,429</u>	<u>2,633</u>	<u>2,818</u>
3	<u>8,550</u>	<u>1,296</u>	<u>1,874</u>	<u>2,208</u>	<u>2,440</u>	<u>2,644</u>	<u>2,830</u>
4	<u>8,600</u>	<u>1,301</u>	<u>1,882</u>	<u>2,217</u>	<u>2,450</u>	<u>2,656</u>	<u>2,842</u>
5	<u>8,650</u>	<u>1,307</u>	<u>1,890</u>	<u>2,226</u>	<u>2,460</u>	<u>2,667</u>	<u>2,853</u>
6	<u>8,700</u>	<u>1,312</u>	<u>1,898</u>	<u>2,236</u>	<u>2,470</u>	<u>2,678</u>	<u>2,865</u>
7	<u>8,750</u>	<u>1,317</u>	<u>1,906</u>	<u>2,245</u>	<u>2,481</u>	<u>2,689</u>	<u>2,877</u>
8	<u>8,800</u>	<u>1,323</u>	<u>1,914</u>	<u>2,254</u>	<u>2,491</u>	<u>2,700</u>	<u>2,889</u>
9	<u>8,850</u>	<u>1,328</u>	<u>1,922</u>	<u>2,263</u>	<u>2,501</u>	<u>2,711</u>	<u>2,901</u>
10	<u>8,900</u>	<u>1,333</u>	<u>1,929</u>	<u>2,273</u>	<u>2,511</u>	<u>2,722</u>	<u>2,913</u>
11	<u>8,950</u>	<u>1,339</u>	<u>1,937</u>	<u>2,282</u>	<u>2,522</u>	<u>2,734</u>	<u>2,925</u>
12	<u>9,000</u>	<u>1,344</u>	<u>1,945</u>	<u>2,291</u>	<u>2,532</u>	<u>2,745</u>	<u>2,937</u>
13	<u>9,050</u>	<u>1,350</u>	<u>1,953</u>	<u>2,301</u>	<u>2,542</u>	<u>2,756</u>	<u>2,949</u>
14	<u>9,100</u>	<u>1,355</u>	<u>1,961</u>	<u>2,310</u>	<u>2,552</u>	<u>2,767</u>	<u>2,961</u>
15	<u>9,150</u>	<u>1,360</u>	<u>1,969</u>	<u>2,319</u>	<u>2,563</u>	<u>2,778</u>	<u>2,973</u>
16	<u>9,200</u>	<u>1,366</u>	<u>1,977</u>	<u>2,329</u>	<u>2,573</u>	<u>2,789</u>	<u>2,984</u>
17	<u>9,250</u>	<u>1,371</u>	<u>1,984</u>	<u>2,338</u>	<u>2,583</u>	<u>2,800</u>	<u>2,996</u>
18	<u>9,300</u>	<u>1,377</u>	<u>1,992</u>	<u>2,347</u>	<u>2,594</u>	<u>2,812</u>	<u>3,008</u>
19	<u>9,350</u>	<u>1,382</u>	<u>2,000</u>	<u>2,356</u>	<u>2,604</u>	<u>2,823</u>	<u>3,020</u>
20	<u>9,400</u>	<u>1,387</u>	<u>2,008</u>	<u>2,366</u>	<u>2,614</u>	<u>2,834</u>	<u>3,032</u>
21	<u>9,450</u>	<u>1,393</u>	<u>2,016</u>	<u>2,375</u>	<u>2,624</u>	<u>2,845</u>	<u>3,044</u>
22	<u>9,500</u>	<u>1,398</u>	<u>2,024</u>	<u>2,384</u>	<u>2,635</u>	<u>2,856</u>	<u>3,056</u>
23	<u>9,550</u>	<u>1,403</u>	<u>2,031</u>	<u>2,394</u>	<u>2,645</u>	<u>2,867</u>	<u>3,068</u>
24	<u>9,600</u>	<u>1,409</u>	<u>2,039</u>	<u>2,403</u>	<u>2,655</u>	<u>2,878</u>	<u>3,080</u>
25	<u>9,650</u>	<u>1,414</u>	<u>2,047</u>	<u>2,412</u>	<u>2,665</u>	<u>2,889</u>	<u>3,092</u>
26	<u>9,700</u>	<u>1,420</u>	<u>2,055</u>	<u>2,422</u>	<u>2,676</u>	<u>2,901</u>	<u>3,104</u>
27	<u>9,750</u>	<u>1,425</u>	<u>2,063</u>	<u>2,431</u>	<u>2,686</u>	<u>2,912</u>	<u>3,116</u>
28	<u>9,800</u>	<u>1,430</u>	<u>2,071</u>	<u>2,440</u>	<u>2,696</u>	<u>2,923</u>	<u>3,127</u>
29	<u>9,850</u>	<u>1,436</u>	<u>2,079</u>	<u>2,449</u>	<u>2,707</u>	<u>2,934</u>	<u>3,139</u>

1	<u>9,900</u>	<u>1,441</u>	<u>2,086</u>	<u>2,459</u>	<u>2,717</u>	<u>2,945</u>	<u>3,151</u>
2	<u>9,950</u>	<u>1,447</u>	<u>2,094</u>	<u>2,468</u>	<u>2,727</u>	<u>2,956</u>	<u>3,163</u>
3	<u>10,000</u>	<u>1,452</u>	<u>2,102</u>	<u>2,477</u>	<u>2,737</u>	<u>2,967</u>	<u>3,175</u>

4 The share of the custodial parent is presumed to be spent directly for the benefit of the child.

5 Section 2. That § 25-7-6.14 be amended to read as follows:

6 25-7-6.14. ~~Unless~~ As used in this section, basic visitation means a parenting plan whereby
7 one parent has physical custody and the other parent has visitation with the child of the parties.

8 In a basic visitation situation, unless the parties otherwise agree and the agreement is approved
9 by the court, the court may, if deemed appropriate under the circumstances, order an abatement
10 of not less than thirty- eight percent nor more than sixty-six percent of the child support if:

- 11 (1) A child spends ten or more days in a month with the obligor; and
- 12 (2) The ~~number~~ of days of visitation and the abatement, ~~percentage~~ or amount are
13 specified in the court order; ~~and~~
- 14 ~~(3) The visitation is actually exercised.~~

15 The court shall allow the abatement to the obligor in the month in which the visitation is
16 exercised, unless otherwise ordered. The abatement shall be pro-rated to the days of visitation.
17 It shall be presumed that the visitation is exercised. If the visitation exercised substantially
18 deviates from the visitation ordered, either party may file a petition for modification without
19 showing any other change in circumstances.

20 As used in this section, shared responsibility means a parenting plan whereby each parent
21 provides a suitable home for the child of the parties, the court order allows the child to spend at
22 least one hundred twenty days in a calendar year in each home, and the parents share the duties,
23 responsibilities, and expenses of parenting. In a shared responsibility situation, unless the parties
24 otherwise agree and the agreement is approved by the court, the court may, if deemed

1 appropriate under the circumstances, order a shared responsibility cross credit. The cross credit
2 shall be calculated by multiplying the combined child support obligation using both parents'
3 monthly net incomes by 1.5 to arrive at a shared custody child support obligation. The shared
4 custody child support obligation shall be apportioned to each parent according to his or her net
5 income. A child support obligation is computed for each parent by multiplying that parent's
6 portion of the shared custody child support obligation by the percentage of time the child spends
7 with the other parent. The respective child support obligations are offset, with the parent owing
8 more child support paying the difference between the two amounts. It shall be presumed that the
9 shared responsibility parenting plan is exercised. If the parenting plan exercised substantially
10 deviates from the parenting plan ordered, either party may file a petition for modification without
11 showing any other change in circumstances.

12 The court shall consider each case individually before granting either the basic visitation or
13 shared responsibility adjustment to insure that the adjustment does not place an undue hardship
14 on the custodial parent or have a substantial negative effect on the child's standard of living.

15 Section 3. That § 25-7-6.7 be amended to read as follows:

16 25-7-6.7. Deductions from monthly gross income shall be allowed as follows:

- 17 (1) Income taxes withheld figured on the basis of two dependent exemptions for a single
18 taxpayer paid monthly rather than actual amount withheld;
- 19 (2) Estimated income taxes payable, prorated monthly;
- 20 (3) FICA taxes withheld from wages or salary;
- 21 (4) Retirement fund amounts withheld or paid directly to an IRS qualified retirement plan,
22 in a reasonable amount, ~~but, in all cases, limited to the amounts deductible for federal~~
23 ~~income tax purposes;~~
- 24 (5) Actual business expenses of an employee, incurred for the benefit of his employer, not

1 reimbursed;

2 (6) Payments made on other support and maintenance orders.

3 Section 4. That chapter 25-7 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 If, at any time, unpaid child support arrearages exist, the court may order the support obligor
6 to pay towards the arrearages such sums as are ordered by the court, in addition to any other
7 remedies of the support obligee.

8 Section 5. That § 25-7-6.3 be amended to read as follows:

9 25-7-6.3. The monthly net income of each parent shall be determined by ~~his~~ the parent's gross
10 income less allowable deductions, as set forth herein. The monthly gross income of each parent
11 includes amounts received from the following sources:

12 (1) Compensation paid to an employee for personal services, whether salary, wages,
13 commissions, bonus, or otherwise designated;

14 (2) Self-employment income including gain, profit, or loss from a business, farm, or
15 profession;

16 (3) Periodic payments from pensions or retirement programs, including social security or
17 veteran's benefits, disability payments or insurance contracts;

18 (4) Interest, dividends, rentals, royalties, or other gain derived from investment of capital
19 assets;

20 (5) Gain or loss from the sale, trade, or conversion of capital assets;

21 (6) Unemployment insurance benefits; and

22 (7) Worker's compensation benefits;

23 (8) Benefits in lieu of compensation including military pay allowances.

24 If the income of the parents is derived from seasonal employment, or received in payments

1 other than regular, recurring payments, such income shall be annualized to determine a monthly
2 average income.

3 Section 6. That § 25-5-18.1 be amended to read as follows:

4 25-5-18.1. The parents of any child are under a legal duty to support their child in
5 accordance with the provisions of § 25-7-6.1, until the child attains the age of eighteen, or until
6 the child attains the age of nineteen if ~~he~~ the child is a full-time student in a secondary school.
7 If it is determined by the court that the child support obligation survives the death of the parent,
8 the amount due may be modified, revoked, or commuted to a lump sum payment by the court,
9 taking into consideration all factors deemed relevant, including the financial resources of the
10 child and the other parent and the needs of the decedent's family.

11 Section 7. That § 25-7-6.10 be amended to read as follows:

12 25-7-6.10. Deviation from the schedule in § 25-7-6.2 shall be considered if raised by either
13 party and made only upon the entry of specific findings based upon any of the following factors:

- 14 (1) The income of a subsequent spouse or contribution of a third party to the income or
15 expenses of that parent but only if the application of the schedule works a financial
16 hardship on either parent;
- 17 (2) Any financial condition of either parent which would make application of the schedule
18 inequitable;
- 19 (3) ~~Whether the federal income tax dependent deduction for such minor child is allocated~~
20 ~~to the benefit of the support obligor or the custodial parent~~ The federal income tax
21 consequences arising from claiming the child as a dependent;
- 22 (4) Any special needs of the child;
- 23 (5) ~~The effect of custody and visitation provisions including whether children share~~
24 ~~substantial amounts of time with each parent;~~

1 —(6) For agreements entered into prior to July 1, 1986, if it is established by clear and
2 convincing evidence, that debts or property were exchanged for child support and it
3 appears equitable to continue such arrangement;

4 ~~(7)~~(6) The effect of agreements between the parents regarding extra forms of support for the
5 direct benefit of the child;

6 ~~(8)~~(7) The obligation of either parent to provide for subsequent natural children or
7 stepchildren. However, an existing support order may not be modified solely for this
8 reason; or

9 ~~(9)~~(8) The voluntary act of either parent which reduces that parent's income.

10 Section 8. That § 25-7-6.13 be amended to read as follows:

11 25-7-6.13. All orders for support entered and in effect prior to July 1, ~~1997~~ 2001, may be
12 modified in accordance with this chapter without requiring a showing of a change in
13 circumstances from the entry of the order.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0270

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1045** - 02/21/2001

Introduced by: The Committee on State Affairs at the request of the Department of
Revenue

1 FOR AN ACT ENTITLED, An Act to prohibit the disclosure and use of personal information
2 contained in certain motor vehicle records.

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

4 Section 1. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Terms used in this Act mean:

7 (1) "Department," the Department of Revenue;

8 (2) "Disclose," to knowingly engage in any practice or conduct to make available and
9 make known personal information contained in a motor vehicle record about a person
10 to any other person, organization, or entity, by any means of communication;

11 (3) "Express consent," consent in writing, and includes consent that is conveyed
12 electronically that bears an electronic signature;

13 (4) "Individual record," a motor vehicle record containing personal information about a
14 designated person who is the subject of the record as identified in a request;

1 (5) "Motor vehicle record," any record that pertains to a motor vehicle registration,
2 motor vehicle title, or document issued by the department or any other state or local
3 agency authorized to issue any such forms of credentials;

4 (6) "Personal information," information that identifies a person, including a social security
5 number, driver identification number, name, address (but not the five-digit zip code),
6 telephone number, and medical or disability information, but does not include
7 information on vehicular accidents, driving or equipment-related violations, or
8 registration status;

9 (7) "Record," includes any book, paper, photograph, photostat, card, film, tape,
10 recording, electronic data, printout, or other documentary material regardless of
11 physical form or characteristics.

12 Section 2. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 Notwithstanding any other provision of state law to the contrary, except as provided in
15 sections 3 to 5, inclusive, of this Act, the department and any officer, employee, agent, or
16 contractor thereof may not disclose personal information about any person obtained by the
17 department in connection with a motor vehicle record. Under no circumstances may a person's
18 social security number or medical or disability information from a motor vehicle record be
19 disclosed, except for the purposes permitted by subdivisions (1), (3), and (5) of section 5 of this
20 Act.

21 Section 3. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as
22 follows:

23 Personal information shall be disclosed for use in connection with matters of motor vehicle
24 or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or

1 advisories, performance monitoring of motor vehicles and dealers by motor vehicle
2 manufacturers, and removal of nonowner records from the original owner records of motor
3 vehicle manufacturers to carry out the purposes of Titles I and IV of the Anti Car Theft Act of
4 1992, 15 U.S.C. 2021 et seq., as of January 1, 2001, the Automobile Information Disclosure
5 Act, 15 U.S.C. 1231 et seq., as of January 1, 2001, and the Clean Air Act, 42 U.S.C. 7401 et
6 seq., as of January 1, 2001, chapters 301, 305, and 321-331 of Title 49, as of January 1, 2001,
7 and agency regulations enacted or adopted pursuant to the authority of, or to attain compliance
8 with, these Acts of Congress.

9 Section 4. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as
10 follows:

11 Personal information may be disclosed to any person who demonstrates, in such form and
12 manner as the department prescribes, that express consent of the person who is the subject of
13 the information has been obtained.

14 Section 5. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as
15 follows:

16 Personal information may be disclosed to any person by the department on proof of the
17 identity of the person requesting the record and representation by such person that the use of the
18 personal information will be strictly limited to the following described uses:

19 (1) For use by any government agency, including any court or law enforcement agency,
20 in carrying out its functions, or any private person or entity acting on behalf of a
21 government agency in carrying out its functions;

22 (2) For use in the normal course of business by a legitimate business or its agents,
23 employees, or contractors, but only under the following circumstances:

24 (a) To verify the accuracy of personal information submitted by the individual to

1 the business or its agents, employees, or contractors; and

2 (b) If such information as submitted is not correct or is no longer correct, to obtain
3 the correct information for the purposes of preventing fraud by pursuing legal
4 remedies against, or recovering on a debt or security interest against, the
5 individual;

6 (3) For use in connection with any civil, criminal, administrative, or arbitral proceeding
7 in any court or government agency or before any self-regulatory body, including the
8 service of process, investigation in anticipation of litigation, and the execution or
9 enforcement of judgments and orders, or pursuant to an order of any court;

10 (4) For use in research activities, and for use in producing statistical reports, so long as
11 the personal information is not published, redisclosed, or used to contact individuals;

12 (5) For use by any insurer or insurance support organization, or by a self-insured entity,
13 or its agents, employees, or contractors, in connection with claims investigation
14 activities, anti-fraud activities, rating, or underwriting;

15 (6) For use in providing notice to the owners or lienholders of towed or impounded
16 vehicles;

17 (7) For use by any licensed private investigative agency or licensed security service for
18 any purpose permitted under this section;

19 (8) For use in connection with the operation of private toll transportation facilities;

20 (9) For any other use specifically authorized under the law of the state that holds the
21 record, if such use is related to the operation of a motor vehicle or public safety.

22 Section 6. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as
23 follows:

24 The department may, prior to the disclosure of personal information as permitted under

1 sections 2 to 5, inclusive, of this Act, require the requesting person to meet conditions for the
2 purposes of obtaining reasonable assurance concerning the identity of such requesting person,
3 and, to the extent required, that the use will be only as authorized, or the consent of the person
4 who is the subject of the information has been obtained. Such conditions may include the making
5 and filing of a written application in such form and containing such information and certification
6 requirements as the department may prescribe.

7 Section 7. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as
8 follows:

9 Any authorized recipient, except a recipient of an individual record under section 6 of this
10 Act, who resells or rediscloses personal information shall maintain for a period of at least five
11 years records as to the information obtained and the permitted use for which it was obtained and
12 shall make such records available for inspection by the department, upon request.

13 Section 8. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as
14 follows:

15 Any person who requests disclosure of personal information from department records and
16 who misrepresents his or her identity or knowingly makes a false statement to the department
17 on any application required to be submitted pursuant to this Act is guilty of a Class 1
18 misdemeanor. However, if any person uses the personal information obtained pursuant to this
19 Act to commit a crime of violence as defined in § 22-1-2, the person is guilty of a Class 5 felony.

20 Section 9. That § 32-5-90.2 be repealed.

21 ~~32-5-90.2. The department may issue lists of motor vehicles and information relating to~~
22 ~~motor vehicles if issuance is necessary for the enforcement of this title or if the list or information~~
23 ~~is needed to protect the public safety and welfare. In addition, any motor vehicle title or~~
24 ~~registration list maintained by the department may be made available to the public for a~~

1 ~~reasonable fee. State agencies are exempt from payment of this fee for approved state use. The~~
2 ~~lists may not be resold. The secretary may promulgate rules pursuant to chapter 1-26 to establish~~
3 ~~criteria for the sale and to establish the fee for the sale of such lists.~~

4 Section 10. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 For the purpose of license renewal, any person in possession of a motor vehicle title or
7 license renewal certificate provided by the state or the county may renew the vehicle's
8 registration on behalf of the owner. Presentation of the motor vehicle title or license renewal
9 certificate by anyone other than the owner is deemed consent of the vehicle owner. Any person
10 who knowingly misrepresents or makes any false statement for license renewal is guilty of a
11 Class 1 misdemeanor.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

448E0567

SENATE JUDICIARY COMMITTEE ENGROSSED NO.

HB 1154 - 02/12/2001

Introduced by: Representatives Adelstein, Abdallah, Brown (Richard), and Duniphan and
Senator Whiting

1 FOR AN ACT ENTITLED, An Act to clarify the application of certain driving privilege
2 penalties with regard to juvenile adjudications.

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

4 Section 1. That § 32-12-52.4 be amended to read as follows:

5 32-12-52.4. Upon a first conviction or a first adjudication of delinquency for violation, while
6 in a motor vehicle, of § 35-9-2, the court shall suspend the driver's license or driving privilege
7 of any driver of a vehicle who was under the age of twenty-one when the offense occurred, for
8 a period of six months.

9 Upon a second or subsequent conviction or a second or subsequent adjudication of
10 delinquency for a violation, while in a motor vehicle, of § 35-9-2, the court shall suspend the
11 driver's license or driving privilege of any driver of a vehicle who was under the age of
12 twenty-one when the offense occurred, for a period of one year. For any offense under this
13 section, the court may issue an order permitting the person to operate a motor vehicle for
14 purposes of the person's employment or attendance at school.

1 Notwithstanding the provisions of chapters 26-7A, 26-8A, 26-8B, and 26-8C, the Unified
2 Judicial System shall notify the Department of Commerce and Regulation of any conviction or
3 adjudication for a violation, while in a motor vehicle, of § 35-9-2 or chapter 32-23. The period
4 of suspension shall begin on the date the person's suspended driver's license is received by the
5 court or the Department of Commerce and Regulation. At the expiration of the period of
6 suspension, a person may make application to have the license reinstated and pay the license fee
7 as prescribed in § 32-12-47.1.

8 Section 2. That § 35-9-7 be amended to read as follows:

9 35-9-7. If the conviction or adjudication for a violation of § 35-9-1, 35-9-1.1, or 35-9-2 is
10 for a first offense, the court shall, in addition to any other penalty allowed by law, order the
11 ~~revocation~~ suspension of the defendant's driving privileges for a period not less than thirty days
12 and not to exceed one year. However, the court may issue an order permitting the person to
13 operate a motor vehicle for purposes of the person's employment or attendance at school or to
14 court-ordered counseling programs during the hours of the day and the days of the week set
15 forth in the order. The court may also restrict the privilege in such manner as it sees fit for a
16 period not to exceed one year.

17 If the conviction or adjudication for a violation of § 35-9-1, 35-9-1.1, or 35-9-2 is for a
18 second or subsequent offense, the court shall, in addition to any other penalty allowed by law,
19 order the ~~revocation~~ suspension of the defendant's driving privileges for a period not less than
20 sixty days and not to exceed one year.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

336E0720

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1193** - 02/21/2001

Introduced by: Representatives Peterson (Bill) and Clark and Senator Staggers

1 FOR AN ACT ENTITLED, An Act to provide procedures for initiating proposals for
2 cooperation or consolidation as authorized by Constitutional Amendment B as agreed to by
3 the voters of South Dakota during the 2000 general election.

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

5 Section 1. Terms used in this Act mean:

6 (1) "Governing body," the board of commissioners, the common council, the executive
7 board, or other name by which a local government entity is controlled, concerned, or
8 affected;

9 (2) "Local government entity," the State of South Dakota, county, municipality, or
10 special governmental district authorized by the laws of South Dakota or any of the
11 states that border South Dakota;

12 (3) "Person in charge of an election" or "person charged with the conduct of an election,"
13 the county auditor in all cases except local elections for a municipality, school district,
14 township, or other political subdivision, in which case it is the officer having the
15 position comparable to the auditor in that unit of government if not specifically

1 designated by law;

2 (4) "Publish" or "publication," publication in the official newspaper of the local
3 government entities concerned or affected; or if no official newspaper is available,
4 publication in a legal newspaper published in the local government entity, if any; or,
5 if no legal newspaper is published within the local entity, publication in any legal
6 newspaper that serves the local government entity;

7 (5) "Resolution of cooperation or consolidation" or "resolution," any initiated measure
8 made for the purpose of initiating, effecting, or carrying out an intention to cooperate
9 in providing services or functions, or combining services or functions between local
10 governmental entities.

11 Section 2. The right to propose a resolution of cooperation or consolidation to the
12 government of a local government entity rests with the registered voters of the local government
13 entity. Any resolution proposed under this chapter shall be referred to a vote of the registered
14 voters of the local government entity by the filing, with the entity's person in charge of an
15 election, of a petition signed by a number of voters equivalent to fifteen percent of those voting
16 in the last preceding gubernatorial election in the local government entity. A petition to propose
17 a resolution shall be filed with the person in charge of an election of each of the affected local
18 government entities before an election may occur.

19 Section 3. No initiated resolution of cooperation may become operative unless approved by
20 a majority of the votes cast in each of the affected local government entities. If so approved, the
21 resolution takes effect one hundred eighty days after the election or other date as specifically
22 stated in the resolution or within one hundred eighty days after the election as the affected local
23 government entities may agree.

24 Section 4. An initiated resolution may propose combining or consolidating any local

1 government functions including those that may be necessary for the immediate preservation of
2 the public peace, health, or safety or for the support of any government or existing public
3 institutions.

4 Section 5. The State Board of Elections shall promulgate rules pursuant to chapter 1-26
5 prescribing the format for a resolution of cooperation or consolidation petition and its
6 verification.

7 Section 6. The signer or circulator of the petition may add the signer's place of residence and
8 the date of signing. The signer's post office box number may be given in lieu of a street address
9 if the signer lives within a municipality of the second or third class. A date may be written in full
10 or may be written using standard abbreviations, including numerals. No signature on a petition
11 is valid if signed more than one year before the filing of the petitions.

12 Section 7. Each person who has circulated a petition shall, before filing the petition, sign an
13 affidavit, under oath, verifying that the person circulated the petition and that either the person
14 circulating the petition or the signer added the signer's place of residence and date of signing. If
15 multiple sheets of paper are necessary to obtain the required number of signatures, each sheet
16 shall be self-contained and separately verified by the circulator.

17 Section 8. When a petition to initiate a resolution is filed with a person in charge of an
18 election, that person shall present it to the local government entity governing board at its next
19 regular or special meeting. The local person in charge of an election shall certify that the
20 minimum number of signatures required pursuant to section 2 of this Act have been filed.

21 The local government entity governing boards shall submit the resolution to a vote in the next
22 general election after filing in all affected local government entities. The filing in all affected local
23 government entities shall occur not later than the second Tuesday in August of a general election
24 year for the question to appear on that year's ballot.

1 Section 9. If the local government entities cannot reach an agreement on sharing costs, each
2 local government entity is responsible for its costs for the election. If there are any shared costs
3 between the local government entities, they shall be paid in proportional shares based on the
4 number of registered voters in each of the affected jurisdictions.

5 Section 10. The person in charge of an election shall have ballots printed for the vote upon
6 the resolution and have them distributed as other official ballots are distributed. All questions to
7 be voted upon at the same election may be submitted upon the same ballot.

8 Section 11. The person in charge of an election shall preserve all petitions requesting a
9 resolution for at least two years. The petitions are open to public inspection upon reasonable
10 request.

11 Section 12. No question contained in an initiated resolution may be voted upon again within
12 one year from the date of the election thereon.

13 Section 13. A local government entity governing board may propose and adopt a resolution
14 under this Act and directly present it to the people for a vote as allowed under this Act without
15 resorting to the petition process.

16 Section 14. The court shall take judicial notice of the existence of all local government
17 entities organized under the general laws of this state and of any change of organization
18 authorized thereby.

19 Section 15. Any petition filed pursuant to this Act may be made up and signed and shall be
20 liberally construed as provided by the statute governing an initiated law.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0740

SENATE JUDICIARY COMMITTEE ENGROSSED NO.

HB 1194 - 02/21/2001

Introduced by: Representatives Smidt and Hansen (Tom) and Senators Bogue and Greenfield

1 FOR AN ACT ENTITLED, An Act to increase certain penalties for unlawful use of computers
2 and computer networks.

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

4 Section 1. That § 43-43B-1 be amended to read as follows:

5 43-43B-1. A person is guilty of unlawful use of a computer system, software, or data if he
6 the person:

7 (1) ~~Knowingly~~ Intentionally obtains the use of, ~~or~~ accesses (or exceeds authorized access
8 to), a computer system, or any part thereof, without the consent of the owner;

9 (2) ~~Knowingly alters or destroys computer programs or data without the consent of the~~
10 ~~owner; or~~

11 ~~(3) Knowingly obtains use of, alters, accesses or destroys a computer system, or any part~~
12 ~~thereof, as part of a deception for the purpose of obtaining money, property or~~
13 ~~services from the owner of a computer system or any third party; or~~

14 ~~(4) Knowingly uses or discloses to another or attempts to use or disclose to another the~~

1 ~~numbers, codes, passwords or other means of access to a computer, computer~~
2 ~~program or computer system without the consent of the owner~~ Intentionally obtains
3 the use of, accesses (or exceeds authorized access to), a computer system, or any part
4 thereof, without the consent of the owner, and such access or use includes access to
5 confidential data or material;

6 (3) Intentionally copies or obtains information from a computer system, or compromises
7 any security controls for such computer system, or uses or discloses to another, or
8 attempts to use or disclose to another, the numbers, codes, passwords, or other means
9 of access to a computer system without the consent of the owner;

10 (4) Intentionally disrupts, denies, or inhibits access to software or data without the
11 consent of the owner;

12 (5) Intentionally disrupts, denies, or inhibits access to a computer system, without the
13 consent of the owner;

14 (6) Intentionally modifies, changes, or alters software or data, without the consent of the
15 owner;

16 (7) Intentionally obtains use of, alters, accesses (or exceeds authorized access to),
17 destroys, disables, or inhibits access to a computer system, as part of a deception for
18 the purpose of obtaining money, property, or services from the owner of a computer
19 system, or any third party;

20 (8) Intentionally destroys or disables a computer system, without the consent of the
21 owner; or

22 (9) Intentionally destroys or disables software or computer data, without the consent of
23 the owner.

24 Section 2. That § 43-43B-2 be amended to read as follows:

1 43-43B-2. Terms used in this chapter, ~~unless the context requires otherwise,~~ mean:

2 (1) "Access," to instruct, communicate with, store data in, retrieve data from a ~~computer,~~
3 ~~computer system or computer network;~~

4 (2) "Computer," an internally programmed, general purpose digital device capable of
5 automatically accepting data, processing data and supplying the results of the
6 operation;

7 (3) ~~"Computer program~~ Software, a series of coded instructions or statements in a form
8 acceptable to a computer system, which causes the computer system to process data
9 in order to achieve a certain result;

10 (4) "Computer system," ~~a set of related, connected devices, including a computer and~~
11 ~~other devices, including but not limited to~~ shall include any one or more computers,
12 computer networks, other related devices, data input and output and storage devices,
13 and data communications links, ~~and computer programs and data,~~ that make the
14 system capable of performing the special purpose data processing tasks for which it
15 is specified;

16 (5) "Computer network," a set of related, connected network electronics and
17 communications links that allows any one or more computer system to communicate
18 amongst or between themselves;

19 (5A) "Data," digitized information in any form that may be accessed by a computer system,
20 regardless of whether the information is in transmission or stored on a computer
21 system, diskette, compact diskette, cd-rom, tape, or in any other medium;

22 (6) "Destroy," to make unusable, render inoperable, render unable to accept or process
23 data, or supply results, render unable to perform data processing tasks or cause
24 computer networks to be unable to transfer data between computer systems for any

1 amount of time.

2 Section 3. That § 43-43B-3 be amended to read as follows:

3 ~~43-43B-3. A person convicted of a violation of subdivision 43-43B-1 (1), (2), or (4) where~~
4 ~~the value of the use, alteration, destruction, access or disclosure is one thousand dollars or less~~
5 ~~is guilty~~ Violations of the provisions of § 43-43B-1 are punishable as follows:

6 (1) For a violation of subdivision (1), a Class 1 misdemeanor;

7 (2) For a violation of subdivision (2) or (3), a Class 1 misdemeanor;

8 (3) For a violation of subdivision (4), a Class 6 felony;

9 (4) For a violation of subdivision (5) or (6), a Class 5 felony;

10 (5) For a violation of subdivision (8) or (9), a Class 4 felony;

11 (6) For a violation of subdivision (7), a Class 6 felony.

12 However, a violation of subdivision (7), in which the value of the money, property, or
13 services obtained is more than one thousand dollars, is punishable as a Class 4 felony.

14 Section 4. That § 43-43B-4 be repealed.

15 ~~43-43B-4. A person convicted of a violation of subdivision 43-43B-1 (1), (2), or (4) where~~
16 ~~the value of the use, alteration, destruction, access or disclosure is more than one thousand~~
17 ~~dollars is guilty of a Class 6 felony.~~

18 Section 5. That § 43-43B-5 be repealed.

19 ~~43-43B-5. A person convicted of a violation of subdivision 43-43B-1 (3) where the value of~~
20 ~~the money, property or services obtained is one thousand dollars or less is guilty of a Class 1~~
21 ~~misdemeanor.~~

22 Section 6. That § 43-43B-6 be repealed.

23 ~~43-43B-6. A person convicted of a violation of subdivision 43-43B-1 (3) where the value of~~
24 ~~the money, property or services obtained is more than one thousand dollars shall be guilty of a~~

1 ~~Class 4 felony.~~

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

291E0548

HOUSE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1195** -

02/15/2001

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Lintz, Burg, Duenwald, Juhnke, Nachtigal, and Rhoden
and Senators Diedrich (Larry), Dennert, Drake, Duxbury, and Putnam

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the practice of
2 veterinary medicine.

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

4 Section 1. That § 36-12-2 be amended to read as follows:

5 36-12-2. The following persons shall not be considered to be engaging in the practice of
6 veterinary medicine in this state:

7 (1) Those who administer to livestock, title of which rests in himself, or in his regular
8 employer, or free service in any case;

9 (2) Those who conduct experimentation in scientific research in the development of
10 methods, technics, or treatment, directly or indirectly applicable to the problems of
11 medicine and who in connection therewith uses animals;

12 (3) Services to poultry in its entirety;

13 (4) Regular students in a legally chartered and recognized college of veterinary medicine,

1 while in the performance of studies and acts assigned by their instructors;

2 (5) Those who are licensed in another state of the United States when engaged in this
3 state in consultation with veterinarians legally practicing herein, providing such
4 consultation does not exceed thirty days in any one year;

5 (6) Those who are senior students in an approved school of veterinary medicine and who
6 shall obtain from the Board of Veterinary Medical Examiners an undergraduate permit
7 to practice in the office and under the direct supervision of any veterinarian practicing
8 within this state;

9 (7) Those who are employees of the State of South Dakota or the United States of
10 America while in the performance of their duties as such employee;

11 (8) Those selling drugs, medicines, household remedies, or appliances at wholesale or
12 retail and advising as to the use and purpose of such drugs, medicines, household
13 remedies, or appliances;

14 (9) Veterinary livestock assistants registered by the State Board of Veterinary Medical
15 Examiners who work under the supervision of a veterinarian licensed in the State of
16 South Dakota to perform spaying of cattle and administration of biologics and
17 pharmaceuticals under the order of their supervising veterinarians. The State Board
18 of Veterinary Medical Examiners shall promulgate rules pursuant to chapter 1-26 for
19 the registration of veterinary livestock assistants.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

528E0067

SENATE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB 1199** - 02/21/2001

Introduced by: Representatives Bartling, Broderick, Duniphan, Flowers, Klaudt, and
Monroe and Senators Koetzle, Albers, and Reedy

1 FOR AN ACT ENTITLED, An Act to adjust the salary schedule for county officials.

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

3 Section 1. That § 7-7-9.1 be amended to read as follows:

4 7-7-9.1. The board of county commissioners shall establish, by resolution, the salary payable
5 to the county treasurer, county auditor, and county register of deeds ~~shall be established by each~~
6 ~~board of county commissioners, by resolution, but.~~ The salary payable may not be less than the
7 following schedule ~~and be~~ as based upon the most recent decennial federal census of population
8 for counties:

9	County Population	Salary Schedule
10	Below 10,000	\$20,689 <u>23,189</u>
11	10,000-14,999	21,234 <u>23,734</u>
12	15,000-24,999	22,305 <u>24,805</u>
13	25,000-69,999	24,983 <u>27,483</u>
14	70,000 and over	27,324 <u>29,824</u>

15 The board of county commissioners may not decrease the salary of the county treasurer,

1 county auditor, or county register of deeds during ~~the term~~ consecutive terms of office of the
2 county treasurer, county auditor, or county register of deeds.

3 Section 2. Section 1 of this Act is effective on January 1, 2002.

4 Section 3. That § 7-7-9.1 be amended to read as follows:

5 7-7-9.1. The board of county commissioners shall establish, by resolution, the salary payable
6 to the county treasurer, county auditor, and county register of deeds ~~shall be established by each~~
7 ~~board of county commissioners, by resolution, but.~~ The salary payable may not be less than the
8 following schedule ~~and be~~ as based upon the most recent decennial federal census of population
9 for counties:

10 County Population	Salary Schedule
11 Below 10,000	\$ 20,689 <u>25,689</u>
12 10,000-14,999	21,234 <u>26,234</u>
13 15,000-24,999	22,305 <u>27,305</u>
14 25,000-69,999	24,983 <u>29,983</u>
15 70,000 and over	27,324 <u>32,324</u>

16 The board of county commissioners may not decrease the salary of the county treasurer,
17 county auditor, or county register of deeds during ~~the term~~ consecutive terms of office of the
18 county treasurer, county auditor, or county register of deeds.

19 Section 4. Section 3 of this Act is effective on January 1, 2003.

20 Section 5. That chapter 7-7 be amended by adding thereto a NEW SECTION to read as
21 follows:

22 The board of county commissioners shall establish, by resolution, the salary payable for the
23 combination of two or more of the following county elected positions. The salary payable may
24 not be less than the minimum salary provided by this section as based upon the most recent
25 decennial federal census of population for counties.

1 For the combination of two of the following: county treasurer, county auditor, or county
2 register of deeds, the minimum salary for counties shall be:

3	County Population	Salary Schedule
4	Below 10,000	\$27,000
5	10,000-14,999	28,500
6	15,000-24,999	30,000
7	25,000-69,999	33,000
8	70,000 and over	36,000

9 For the combination of all three of the following: county treasurer, county auditor, and
10 county register of deeds, the minimum salary for counties shall be:

11	County Population	Salary Schedule
12	Below 10,000	\$29,000
13	10,000-14,999	30,500
14	15,000-24,999	32,000
15	25,000-69,999	35,000
16	70,000 and over	39,000

17 Section 6. That § 6-15-2 be amended to read as follows:

18 6-15-2. Section 6-15-1 does not apply to any law, rule, or regulation:

- 19 (1) Concerning the conduct of elections;
- 20 (2) Required by federal law;
- 21 (3) Required to fund the unified judicial system;
- 22 (4) Required to fund the welfare system;
- 23 (5) ~~To any law creating~~ Creating, modifying, or repealing any criminal law; ~~or~~
- 24 (6) ~~To any law reauthorizing~~ Reauthorizing but not expanding existing statutory
25 authority; or

1 (7) Specifying a minimum salary for public officials.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

457E0522

SENATE JUDICIARY COMMITTEE ENGROSSED NO.

HB 1202 - 02/21/2001

Introduced by: Representative McCaulley and Senator Everist

1 FOR AN ACT ENTITLED, An Act to provide for the recovery of reasonable attorney's fees and
2 costs in actions for deceit.

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

4 Section 1. That § 20-10-1 be amended to read as follows:

5 20-10-1. ~~One~~ Any person who willfully deceives another, with intent to induce ~~him~~ the other
6 to alter ~~his~~ the other's position to his or her injury or risk, is liable for any ~~damage which he~~
7 ~~thereby suffers~~ damages suffered by the other. The prevailing party may be awarded reasonable
8 attorney fees and costs which shall be charged as disbursements pursuant to § 15-6-54(d).

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

451E0693

HOUSE EDUCATION COMMITTEE ENGROSSED NO. **HB 1227** - 02/06/2001

Introduced by: Representatives Teupel, Derby, and Rhoden and Senators Apa and Kleven

1 FOR AN ACT ENTITLED, An Act to include certain students in the state aid to education
2 formula.

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

4 Section 1. That § 13-13-1.8 be amended to read as follows:

5 13-13-1.8. ~~Students attending the Black Hills Forest High School in Lawrence County may~~
6 ~~not be included by any school district in its average daily membership for purposes of state aid~~
7 ~~to education.~~ Students attending the Black Hills Forest High School in Lawrence County shall
8 be included by their resident school district in its average daily membership calculation for
9 purposes of state aid to education if the resident school district is paying tuition for placement
10 at the Black Hills Forest High School.

11 Section 2. The per student allocation for any student identified in § 13-13-1.8 may not
12 exceed the amount of tuition paid by the resident school district for that student.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0805

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1280** - 02/21/2001

Introduced by: The Committee on State Affairs at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to replace certain geographic names that use offensive
2 names, words, or phrases.

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

4 Section 1. The Legislature finds that certain geographic place names are offensive and
5 insulting to all South Dakota's people, history, and heritage. These place names should be
6 replaced by names that reflect South Dakota's people, history, and heritage without resorting to
7 harmful or offensive stereotypes, names, words, or phrases. Section 4 of this Act lists the
8 currently known geographic names that are harmful or offensive. All state and local government
9 agencies may make changes to maps and any other reference materials to reflect the changes
10 provided in this Act. A copy of this Act shall be forwarded by the Legislative Research Council
11 to the United States Board on Geographic Names for consideration as recommendations for
12 changes on any federal maps and reference materials that reference these names and places.

13 Section 2. The geographic place names set forth in section 4 of this Act are considered
14 harmful and offensive. The new place names provided in section 4 of this Act shall replace and
15 shall be used by all state and local agencies in South Dakota in all future publications, maps, or

1 other reference materials published after the effective date of this Act.

2 Section 3. If no replacement place name for a specific location or feature is provided in
3 section 4 of this Act, a replacement name may be suggested by the county or other local
4 government entity, or by any interested person and may be submitted to the Department of
5 Environment and Natural Resources in Pierre for a period of ninety days following the effective
6 date of this Act. The final decision on any replacement names, not previously approved by the
7 Legislature pursuant to this Act, shall be made jointly by the Board of Water and Natural
8 Resources, the Board of Minerals and Environment, and the Transportation Commission within
9 sixty days after the expiration of the ninety-day deadline. Any place names adopted in the manner
10 described in this section shall be adopted and used and shall replace the offensive place names
11 listed in section 4 of this Act pursuant to the provisions of this Act.

12 Section 4. Offensive place names in South Dakota by county are replaced as follows:

13	County	Current place name	Place name changed to
14	Codington	Squaw Lake	Serenity Lake
15	Custer	Little Squaw Creek	No recommendation
16		Negro Canyon	" "
17		Negro Wool Ridge	" "
18	Fall River	Squaw Flat	Hat Creek Flat
19	Gregory	Squaw Creek	No recommendation
20		Squaw Creek Reservoir	" "
21	Haakon	Squaw Creek	No recommendation
22		Negro Creek	" "
23	Harding	Squaw Creek	No recommendation
24		East Squaw Creek	" "
25		Squaw Tree Spring	" "
26		West Squaw Creek	" "

1	Jackson	Big Negro Draw	No recommendation
2		Little Negro Creek	" "
3	Jones	Squaw Creek	Pitan Creek
4	Lake	Negro Creed	Franklin Creek
5	Lawrence	Squaw Creek	Cleopatra Creek
6		East Branch of Squaw Creek	East Branch Cleopatra Creek
7		Negro Gulch	Last Chance Gulch
8		Negro Hill	African Hill
9	Marshall	Squaw Hill	Six Mile Hill
10		Squaw Lake	Six Mile Lake
11	Meade	Squaw Butte School	No recommendation
12		Squaw Butte	" "
13		Squaw Creek	" "
14		Negro Creek School	" "
15	Moody	Squaw Creek	Jack Moore Creek
16	Pennington	Squaw Creek	Cedar Breaks Creek
17		Negro Creek	Medicine Mountain Creek
18	Shannon	Little Squaw Humper Creek	Little Red Shirt Creek
19		Little Squaw Humper Table	Little Red Shirt Table
20		Squaw Humper Creek	Two Bulls Creek
21		Squaw Humper Dam	Two Bulls Dam
22		Squaw Humper Table	Two Bulls Table
23	Stanley	Negro Edge Canyon	No recommendation
24	Ziebach	Squaw Teat Butte	Peaked Butte
25		Squaw Teat Creek	East Rattlesnake Creek

26

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

912E0543

SENATE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HCR 1008** -
02/20/2001

Introduced by: Representatives Jensen, Bartling, Begalka, Bradford, Burg, Elliott, Flowers, Frost, Fryslie, Hanson (Gary), Hundstad, Hunhoff, Klaudt, Kloucek, Lintz, Nachtigal, Olson (Mel), Peterson (Jim), Rhoden, Sigdestad, and Van Norman and Senators Symens, Bogue, Dennert, Diedrich (Larry), Duxbury, Koskan, Putnam, and Volesky

1 A CONCURRENT RESOLUTION, Supporting mandatory country of origin labeling for
2 agricultural products.

3 WHEREAS, the dramatic increase in the incidence of Bovine Spongiform Encephalopathy
4 in Europe has promoted the World Health Organization to declare its "exposure worldwide" thus
5 critically threatening the safety of our food supply; and

6 WHEREAS, a labeling system that enhances traceability and accountability will help insure
7 the safe consumption of food; and

8 WHEREAS, the taxpaying consumers have made a huge investment in food safety and have
9 the right to know where their food is produced; and

10 WHEREAS, U.S. growers and producers are subject to numerous regulations designed to
11 protect food safety, our environment, and the welfare of our workers, and co-mingling of food
12 produced and processed under these rigorous standards with food from every other source is a

1 practice that undermines the credibility of our food system:

2 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Seventy-
3 sixth Legislature of the State of South Dakota, the Senate concurring therein, that the
4 Legislature urges Congress to enact legislation that mandates country of origin labeling for meat,
5 dairy products, and produce and requires that products labeled "U.S. Produced" be produced,
6 born, raised, or processed completely in the United States. Any product bearing a "USDA
7 INSPECTED" label must also state the country of origin as a part of that label.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

273E0566

HOUSE ENGROSSED NO. **SB 149** - 02/21/2001

Introduced by: Senators Kleven, Albers, Bogue, Drake, and Vitter and Representatives Napoli, Brown (Jarvis), Derby, Hennies (Thomas), Klaudt, McCoy, Pederson (Gordon), Pummel, and Van Etten

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the housing of
2 prisoners from other jurisdictions.

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

4 Section 1. That § 24-11-3 be amended to read as follows:

5 24-11-3. If there is no jail or juvenile detention facility in the county, or if the jail or juvenile
6 detention facility in the county is crowded, unsafe, or otherwise insufficient to conform to the
7 requirements of this chapter, every judicial or executive officer of the county who has the power
8 to order, sentence, or deliver any person to the county jail or juvenile detention facility may
9 order, sentence, or deliver such person to the jail or juvenile detention facility of any near or
10 adjoining state, Indian reservation, county, organized township, or municipality. The county from
11 which the prisoner was committed shall pay to the agency housing the prisoner all expenses of
12 keeping and maintaining the prisoner in the jail or juvenile detention facility, including the cost
13 of building depreciation, administration, and a reasonable charge for obsolescence of the facility
14 and all other tangible and intangible costs, ~~to the county.~~