

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

490J0422

## HOUSE BILL NO. 1184

Introduced by: Representatives Novstrup, Elliott, Hackl, Kraus, LaRue, McCaulley, Rhoden,  
and Weems and Senators Dennert and Kelly

1 FOR AN ACT ENTITLED, An Act to authorize a payor to make a deduction for transmitting  
2 an amount of an obligor's income pursuant to a child support order for withholding.

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

4 Section 1. That § 25-7A-34 be amended to read as follows:

5 25-7A-34. Any payor who has been served with an order for withholding of income shall  
6 deduct and pay over income or assets as provided in this section. The payor shall deduct the  
7 amount designated in the order for withholding. The first payment shall be deducted from the  
8 payment of income which is payable to the obligor following service of the order. The payor  
9 shall transmit the amount withheld to the department in accordance with the order for  
10 withholding within seven business days after the date the obligor is paid or ~~his~~ the obligor's  
11 property withheld and in accordance with any subsequent notification received from the  
12 department redirecting payment. In addition to the amount designated in the order for  
13 withholding, the payor may deduct five dollars each pay period from the obligor's income to  
14 cover the expenses involved in transmitting the amount withheld.

