

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

805L0685

HOUSE BILL NO. 1164

Introduced by: Representatives Elliott, Dennert, Frost, Garnos, and Novstrup and Senators Kooistra, Hundstad, Napoli, Nesselhuf, and Sutton (Duane)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the allowance for
2 support when a divorce is granted.

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

4 Section 1. That § 25-4-41 be amended to read as follows:

5 25-4-41. Where a divorce is granted, the court may compel one party to make such suitable
6 allowance to the other party for support during the life of that other party or for a shorter period,
7 as the court may deem just, having regard to the circumstances of the parties represented; and
8 the court may from time to time modify its orders in these respects. If the party receiving the
9 support cohabitates with another or becomes pregnant by another, the party paying the support
10 may petition the court, and upon finding that the party receiving the support cohabitates with
11 another or became pregnant by another, the court shall terminate the support allowance.

