

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

682P0290

HOUSE BILL NO. 1092

Introduced by: Representatives Vehle, Dennert, and Elliott and Senator Hansen (Tom) at the request of the Interim Committee on Education for Divorcing Parents, Visitation, and Custody Task Force

1 FOR AN ACT ENTITLED, An Act to revise certain terminology in the statutes providing for
2 standard child visitation guidelines.

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

4 Section 1. That § 25-4A-9 be amended to read as follows:

5 25-4A-9. For the purposes of §§ 25-4A-9 to 25-4A-16, inclusive, the term, standard
6 guidelines, means the ~~child visitation~~ parenting guidelines established by court rules
7 promulgated by the South Dakota Supreme Court pursuant to § 25-4A-10.

8 Section 2. That § 25-4A-10 be amended to read as follows:

9 25-4A-10. The South Dakota Supreme Court shall promulgate court rules establishing
10 standard guidelines to be used statewide for ~~child visitation~~ minimum noncustodial parenting
11 time in divorce or separate maintenance actions or any other custody action or proceeding. The
12 standard guidelines shall provide a framework for ~~child visitation~~ noncustodial parenting time
13 including frequency and time for ~~child visitation~~ noncustodial parenting time; hours or days of
14 ~~visitation~~ noncustodial parenting time; definitions for weekends, holidays, birthdays, and other



1 special occasions; and time periods for summer ~~visitations~~ noncustodial parenting time. In
2 establishing the standard guidelines, the court may consider varying ages and circumstances of
3 children and treat varying ages and circumstances differently.