

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

439P0374

HOUSE BILL NO. 1157

Introduced by: Representatives Engels, Cutler, Feinstein, Gillespie, Lust, and Moore and
Senators Turbak Berry, Abdallah, Albers, and Koetzle

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the residency or
2 military presence of parties in divorce or separate maintenance proceedings.

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

4 Section 1. That § 25-4-30 be amended to read as follows:

5 25-4-30. The plaintiff in an action for divorce or separate maintenance must, at the time the
6 action is commenced, be a resident of this state for not less than ninety days, or be stationed in
7 this state while a member of the armed services, ~~and in order that each party be entitled to the~~
8 ~~entry of a decree or judgment of divorce or separate maintenance, that residence or military~~
9 ~~presence must be maintained until the decree is entered. Subsequently, the plaintiff need not~~
10 maintain that residence or military presence to be entitled to the entry of a decree or judgment
11 of divorce or separate maintenance.

