

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

585Z0421

## SENATE JUDICIARY ENGROSSED NO. **SB 139** 1/30/2018

Introduced by: Senators Jensen (Phil), Nelson, Russell, and Stalzer and Representatives Pischke, Dennert, DiSanto, Karr, Marty, Steinhauer, and Wiese

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 § 25-7-6.24 be amended to read:

4 25-7-6.24. If the parents of a child have agreed to a change in the physical custody of the  
5 child without the court's approval, the parent who relinquished physical custody may be ordered  
6 to pay child support to the parent who gained physical custody of the child even though the  
7 custody order has not been modified to reflect the change in custody.

8 There is a rebuttable presumption that a parent has agreed to a change in physical custody  
9 if the change has occurred for a period of one hundred twenty consecutive days or more and the  
10 parent has not formally objected to the court, even in the absence of a formal written agreement.

