

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

765Y0333

SENATE ENGROSSED NO. **SB 93** - 2/8/2017

Introduced by: Senators Rusch, Kennedy, Partridge, Stalzer, White, and Youngberg and
Representatives Heinemann, Brunner, Clark, Haugaard, Rasmussen, Reed,
Ring, Steinhauer, and Willadsen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding marriage license fees.

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

3 Section 1. That § 25-1-10 be amended to read:

4 25-1-10. Previous to any marriage within this state, a license shall be obtained from the
5 county register of deeds of any county, the fee for ~~which the license is forty sixty~~ which the license is forty dollars. ~~Ten~~
6 ~~dollars of the marriage license fee shall be retained by the county in which the fee is collected~~
7 ~~and placed in the county general fund. However, if the applicants for the license complete at~~
8 least twelve hours of premarital education, the fee for the license is forty dollars. Thirty dollars
9 of the marriage license fee shall be deposited in the county domestic abuse program fund. The
10 remainder of the fee shall be retained by the county in which the fee is collected and placed in
11 the county general fund. The license and record of marriage form shall be prescribed and
12 furnished by the Department of Health. Certified copies of the marriage record shall be
13 furnished by the county register of deeds for a fee established pursuant to § 34-25-52 ~~and such.~~
14 The fee shall be retained by the county in which the fee is collected and placed in the county



1 general fund.

2 Section 2. That chapter 25-1 be amended by adding a NEW SECTION to read:

3 In order to qualify for the reduced license fee, pursuant to section 1 of this Act, the
4 applicants for a license submit a signed and dated statement on a form prescribed and furnished
5 by the Department of Health from the person who provided the premarital education confirming
6 that the education was completed. A licensed or ordained minister, a designee of a licensed or
7 ordained minister, Native American spiritual leader, a person authorized to solemnize marriages
8 under § 25-1-30, or a person authorized to practice marriage and family therapy under § 36-33-9
9 shall provide the premarital education. The education shall include the use of a premarital
10 inventory and the teaching of communication and conflict management skills.

11 Section 3. That chapter 25-1 be amended by adding a NEW SECTION to read:

12 The person who provided the premarital education under this Act shall include in the
13 statement required by section 2 of this Act, the name of the educator and the legal names of the
14 applicants for a license receiving the education. The statement shall confirm that the applicants
15 received at least twelve hours of premarital education and that the education included a
16 premarital inventory and the teaching of communication and conflict management skills. The
17 statement shall state whether the educator is a licensed or ordained minister, a person authorized
18 to solemnize marriages under § 25-1-30, or a person authorized to practice marriage and family
19 therapy under § 36-33-9.