



2020 South Dakota Legislature
House Bill 1205
ENROLLED

AN ACT

ENTITLED An Act to revise provisions regarding a custodial parent relocating a minor child.

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

Section 1. That § 25-4A-19 be AMENDED:

25-4A-19. Request for hearing on relocation--Presumption of consent--Best interests of child.

At the request of the nonrelocating parent, made within thirty days of the notice of relocation, the court shall hold a hearing on the relocation. If no request for hearing is made within thirty days of notice, the relocation is presumed to be consented to by the nonrelocating parent. If an objection to the relocation is filed, the court shall consider the traditional best interest of the child factors when determining a proposed relocation that would result in a substantial alteration to the existing parenting time arrangement.

Section 2. That § 25-5-13 be AMENDED:

25-5-13. Residence of child--Right to change--Procedure.

A parent entitled to the custody of a child has the right to change the child's residence, subject to the power of the circuit court to restrain a removal that would prejudice the rights or welfare of the child. A parent desiring to relocate a minor child shall follow the provisions of §§ 25-4A-17 to 25-4A-19, inclusive.

An Act to revise provisions regarding a custodial parent relocating a minor child.

I certify that the attached Act originated in the:

House as Bill No. 1205

Received at this Executive Office
this ____ day of _____,
2020 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2020

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2020
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1205
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State