

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0210

SENATE BILL NO. 23

Introduced by: The Committee on Health and Human Services at the request of the
Department of Health

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the filing of marriage
2 records and rule-making authority regarding vital records.

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

4 Section 1. That § 25-1-37 be amended to read as follows:

5 25-1-37. ~~Each register of deeds~~ The Department of Health shall maintain marriage licenses
6 issued and records of marriages solemnized in ~~that register's county~~ South Dakota. A duly
7 certified copy of the recorded marriage license shall be received as competent evidence of the
8 marriage. ~~The register shall send to~~ local registrar shall file monthly, or more frequently if
9 required by the department, a record of all marriages occurring in the local registrar's county with
10 ~~the State Department of Health monthly, or more frequently if required by the department,~~
11 ~~abstracts of marriage records filed by the register during the preceding month~~ by electronic
12 means, if available. If electronic means are not available, the registrar shall file such record of all
13 marriages on a form prescribed by the department.

14 Section 2. That § 34-25-51 be amended to read as follows:

15 34-25-51. A certificate or record registered under this chapter may be amended in

1 accordance with ~~regulations adopted by the secretary of health~~ rules promulgated by the
2 department pursuant to chapter 1-26. Each request for amending a birth or death certificate, after
3 one year from the event, shall be accompanied by an eight dollar fee to the department of health
4 for amending the record and filing the affidavit.

5 Section 3. That § 25-1-28 be repealed.

6 ~~—25-1-28. The county register of deeds shall cause due entry of the application for issuing the~~
7 ~~license to be made in a book to be procured and kept for that purpose, stating that he was~~
8 ~~acquainted with the parties and knew them to be of competent age and condition, or that the~~
9 ~~requisite proof of such fact was made to him by one or more witnesses, stating their names,~~
10 ~~which book shall constitute part of the records of his office.~~