

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

400H0221

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

HB 1011 - 01/14/2002

Introduced by: The Committee on Judiciary at the request of the Department of Social Services

1 FOR AN ACT ENTITLED, An Act to revise the method by which a withholding order may be
2 served for the purpose of collecting child support.

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

4 Section 1. That § 25-7A-30 be amended to read as follows:

5 25-7A-30. The department shall enter and serve the order for withholding on the payor, its
6 superintendent, manager, or other agent, by certified mail, first class mail, or personal delivery.

7 A copy of the order shall be mailed to the obligor at the obligor's last known post office address.

8 The order for withholding shall be entered whether or not the order for support contains a
9 provision for withholding of income or property. The provisions of §§ 25-7A-45 and 25-7A-46

10 do not apply unless the payor has been served by certified mail or personal delivery.

11 Section 2. That § 25-7A-39 be amended to read as follows:

12 25-7A-39. The department shall serve on the payor, by certified mail, first class mail, or

13 personal delivery, a copy of any order entered pursuant to this chapter that affects the duties of

14 the payor. The provisions of §§ 25-7A-45 and 25-7A-46 do not apply unless the payor has been



1 served by certified mail or personal delivery.