

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

805J0536

## HOUSE BILL NO. 1271

Introduced by: Representatives Christensen, Begalka, Davis, Dykstra, Hanson, Heineman, Juhnke, McCaulley, Olson (Ryan), Peterson (Bill), Peterson (Jim), Rave, Rhoden, Sebert, Weems, and Wick and Senators Kooistra, Duenwald, Greenfield, and Koskan

1 FOR AN ACT ENTITLED, An Act to limit the use of irreconcilable differences as a ground for  
2 divorce.

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

4 Section 1. That § 25-4-2 be amended to read as follows:

5 25-4-2. Divorces may be granted for any of the following causes:

- 6 (1) Adultery;
- 7 (2) Extreme cruelty;
- 8 (3) Willful desertion;
- 9 (4) Willful neglect;
- 10 (5) Habitual intemperance;
- 11 (6) Conviction of felony;
- 12 (7) Irreconcilable differences.

13 However, no divorce may be granted for irreconcilable differences if the parties to the  
14 divorce are parents to any child under eighteen years of age.

