

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

634T0462

## HOUSE BILL NO. 1099

Introduced by: Representatives Tornow, Brunner, Conzet, Cronin, Hansen (Jon), Hickey, Jensen, Jones, Kopp, Liss, Lust, Magstadt, Nelson (Stace), Rausch, Russell, Solum, Tulson, Turbiville, Van Gerpen, Venner, Verchio, and Willadsen and Senators Krebs, Begalka, Heineman, Maher, Novstrup (Al), Olson (Russell), Rhoden, and Schlekeway

1 FOR AN ACT ENTITLED, An Act to increase the fee for a payor to withhold child support.

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

3 Section 1. That § 25-7A-34 be amended to read as follows:

4 25-7A-34. Any payor who has been served with an order for withholding of income shall  
5 deduct and pay over income or assets as provided in this section. The payor shall deduct the  
6 amount designated in the order for withholding. The first payment shall be deducted from the  
7 payment of income which is payable to the obligor following service of the order. The payor  
8 shall transmit the amount withheld to the department in accordance with the order for  
9 withholding within seven business days after the date the obligor is paid or the obligor's property  
10 withheld and in accordance with any subsequent notification received from the department  
11 redirecting payment. In addition to the amount designated in the order for withholding, the payor  
12 may deduct an amount not to exceed a one time set up fee of twenty-five dollars, and thereafter  
13 three dollars per ~~month~~ withholding period from the obligor's income to cover the expenses



1 involved in transmitting the amount withheld.