



2021 South Dakota Legislature

House Bill 1236

Introduced by: **Representative** Randolph

1 **An Act to remove irreconcilable differences as a cause for divorce.**

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

3 **Section 1.** That § 25-4-2 be AMENDED.

4 **25-4-2. Grounds for divorce.**

5 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; or

11 (6) Conviction of ~~felony~~;

12 ~~(7) Irreconcilable differences~~ a crime, resulting in incarceration.

13 **Section 2.** That § 25-4-17.1 be REPEALED.

14 **25-4-17.1. Irreconcilable differences defined.**

15 **Section 3.** That § 25-4-17.2 be REPEALED.

16 **25-4-17.2. Dissolution of marriage--Legal separation--Continuance--Orders**
 17 **during continuance--Consent of parties.**

18 **Section 4.** That § 25-4-17.3 be REPEALED.

19 **25-4-17.3. Use of affidavits to establish jurisdiction and grounds for divorce.**