

SB 159 -- Redline

Engrossed to Enrolled -- revise requirements pertaining to the minimum age for marriage.

Deletions ~~struck~~ · Insertions underlined

~~26.641.17~~26.641.18 101st Legislative Session 159 South Dakota Legislature Senate Bill 159 ~~HOUSE~~ENROLLED
~~STATE AFFAIRS~~ENGROSSED ~~Introduced~~CT by ~~ENTITLED~~An Act to revise requirements pertaining to the
minimum age for marriage.

~~Senator B Rischke~~AN IT Act ~~ENACTED to~~BY revise ~~THE requirements~~LEGISLATURE ~~pertaining~~OF to ~~THE the~~STATE
~~minimum~~OF age ~~s for~~OUTH marriage ~~D AKOTA :~~

~~B E IT ENACTED BY THE LEGISLATURE OF THE S TATE OF SOUTH D AKOTA :~~

~~Any~~Except ~~unmarried~~as ~~applicant~~provided for in ~~a~~Sec. 25-1-13, no ~~marriage license~~may ~~who~~be ~~is~~contracted
~~eighteen~~in years ~~this~~old ~~state or unless older,~~both and ~~individuals who~~applying is ~~for not~~the
~~otherwise~~marriage ~~disqualified,~~license is ~~have~~capable ~~attained the age of~~consenting ~~eighteen to~~at ~~and~~the
~~consummating~~time at ~~the marriage~~marriage license is issued.

~~If either applicant for a marriage license is between the age of sixteen and eighteen, that applicant shall submit to the register of deeds a notarized statement of consent to marry from one parent or legal guardian of the applicant~~Except as provided in Sec. 25-1-13, no marriage may be contracted in this state unless both individuals applying for the marriage license have attained the age of eighteen at the time the marriage license is issued.

~~If~~Except ~~either party is a minor, no marriage license shall be granted unless the written consent of the parent or guardian, duly acknowledged by the parent or guardian, or proved to be genuine, is filed in the office of the county register of deeds prior to issuing the license, and a memorandum of the facts shall be entered in the marriage record book with the other records of the marriage license~~Except as provided in this section, a marriage license may be issued to two individuals, one of whom is a minor or both of whom are minors, provided that the individuals applying for the marriage license are at least sixteen years old and have obtained:

~~Overstrikes~~(2) indicate ~~If deleted~~only language, one applicant is a minor, written consent, notarized and submitted to the office of the county register of deeds, from:

~~26.641.17 2 159 (2) If only one applicant is a minor, written consent, notarized and submitted to the office of the county register of deeds, from:~~

26.641.18 2 159 ~~A marriage license may not be issued under this section if the age difference between the applicants is greater than four years.~~

~~A person who is guilty of a Class 1 misdemeanor if the person solemnizes any marriage where either of the parties is known to him to be under the age of legal consent and without the consent of his or her parents or guardian or persons having charge of him or her, or where either of the parties is known to him to be~~ knowing that:

~~(2) Either party is of unsound mind, mind; or any marriage to which, within his knowledge, any;~~
~~or (3) Any other legal impediment exists, exists. is guilty of a Class 1 misdemeanor.~~

~~Overstrikes~~SB159 indicate ~~ENROLLED~~ ~~deleted~~26.641.18 language, 3 159 An Act to revise requirements
pertaining to the minimum age for marriage.

Received at this Executive Office I certify that the attached Act originated in this _____ day of _____, the:

at _____ M.

Senate as Bill No.

159 By Secretary of the Senate for the Governor The attached Act is hereby approved this _____ day of _____ President of the Senate _____, A.D., 2026 Attest:

Governor Secretary of the Senate STATE OF SOUTH DAKOTA, ss.

Office of the Secretary of State Speaker of the House Filed _____, 2026 Attest:

at _____ o'clock M.

Chief Clerk of the House Secretary of State Senate Bill No.

159 By File No.

_____ Asst.

Secretary of State Chapter No.

_____ SB159 ENROLLED