

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

742V0392

HOUSE JUDICIARY ENGROSSED NO. **HB 1127** - 02/12/2014

Introduced by: Representatives Hickey, Craig, and Ecklund and Senator Kirkeby

1 FOR AN ACT ENTITLED, An Act to provide an exemption for alimony payments in debtor
2 filings.

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

4 Section 1. That § 43-45-2 be amended to read as follows:

5 43-45-2. The property mentioned in this section is absolutely exempt from all such process,
6 levy, or sale, except as otherwise provided by law:

- 7 (1) All family pictures;
- 8 (2) A pew or other sitting in any house of worship;
- 9 (3) A lot or lots in any burial ground;
- 10 (4) The family Bible and all schoolbooks used by the family, and all other books used
11 as a part of the family library, not exceeding in value two hundred dollars;
- 12 (5) All wearing apparel and clothing of the debtor and his family;
- 13 (6) The provisions for the debtor and his family necessary for one year's supply, either
14 provided or growing, or both, and fuel necessary for one year;
- 15 (7) All property in this state of the judgment debtor if the judgment is in favor of any



1 state for failure to pay that state's income tax on benefits received from a pension or
2 other retirement plan while the judgment debtor was a resident of this state;

3 (8) Any health aids professionally prescribed to the debtor or to a dependant of the
4 debtor;

5 (9) Any court ordered domestic support award of alimony, maintenance, or support of
6 the debtor up to an amount equal to the average monthly pay for an individual based
7 on a forty-hour work week at a rate of minimum wage.