

Alternatives to current SDCL 25-7A-21.1 and 25-8-5 – prior period support
25-7A-21.1. Order establishment case--Limitation on prior-period support obligations or arrearages.

In any order establishment case, the custodian is limited to a prior-period support obligation or arrearage not exceeding ~~three years~~one year before either the date of application with any Title IV-D agency, the date of filing with a court of competent jurisdiction, or the date of a written demand served personally or by registered or certified mail, return receipt requested, upon the noncustodial parent at the noncustodial parent's last known address, whichever occurs earlier.

Source: SL 2005, ch 134, § 9; SL 2013, ch 119, § 10.

25-8-5. Custodian's recovery of support from noncustodian--Period support recoverable.

The custodian may recover support for a period of ~~three years~~one year before the date of application with any Title IV-D agency, the date of filing with a court of competent jurisdiction, or the date of a written demand served personally or by registered or certified mail, return receipt requested, upon the noncustodial parent at the noncustodial parent's last known address, whichever occurs earlier.

Source: SDC 1939 & Supp 1960, § 37.2102; SL 1984, ch 190, § 5; SL 2005, ch 134, § 13; SL 2013, ch 119, § 14.

25-7A-21.1. Order establishment case--Limitation on prior-period support obligations or arrearages.

In any order establishment case, the custodian is ~~limited~~ not entitled to a prior-period support obligation or arrearage ~~not exceeding three years~~ before either the date of application with any Title IV-D agency, the date of filing with a court of competent jurisdiction, or the date of a written demand served personally or by registered or certified mail, return receipt requested, upon the noncustodial parent at the noncustodial parent's last known address, whichever occurs earlier.

Source: SL 2005, ch 134, § 9; SL 2013, ch 119, § 10.

25-8-5. Custodian's recovery of support from noncustodian--Period support recoverable.

The custodian may recover support ~~for a period of three years before~~ after the date of application with any Title IV-D agency, the date of filing with a court of competent jurisdiction, or the date of a written demand served personally or by registered or certified mail, return receipt requested, upon the noncustodial parent at the noncustodial parent's last known address, whichever occurs earlier.

Source: SDC 1939 & Supp 1960, § 37.2102; SL 1984, ch 190, § 5; SL 2005, ch 134, § 13; SL 2013, ch 119, § 14.

25-7A-21.1. Order establishment case--Limitation on prior-period support obligations or arrearages.

In any order establishment case in which the custodial parent has assigned their right of support to the Department of Social Services, ~~the custodian is limited to~~ a prior-period support obligation or arrearage may not ~~exceeding~~ exceed three years before either the date of application with any Title IV-D agency, the date of filing with a court of competent jurisdiction, or the date of a written demand served personally or by registered or certified mail, return receipt requested, upon the noncustodial parent at the noncustodial parent's last known address, whichever occurs earlier.

Source: SL 2005, ch 134, § 9; SL 2013, ch 119, § 10.

25-8-5. Custodian's recovery of support from noncustodian--Period support recoverable.

The custodian may recover support ~~for a period of three years before~~ after the date of application with any Title IV-D agency, the date of filing with a court of competent jurisdiction, or the date of a written demand served personally or by registered or certified mail, return receipt requested, upon the noncustodial parent at the noncustodial parent's last known address, whichever occurs earlier.

Source: SDC 1939 & Supp 1960, § 37.2102; SL 1984, ch 190, § 5; SL 2005, ch 134, § 13; SL 2013, ch 119, § 14.