

**STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2012-02**

WHEREAS, Section 667 of Title IV-D of the Social Security Act and Section 25-7-6.12 of the South Dakota Codified Laws requires the state to establish a State Commission on Child Support every 4 years to review the child support guidelines; and,

WHEREAS, It is deemed necessary and in the best interest of the state of South Dakota to review the provisions of the Paternity Proceedings in Chapter 25-8 and related sections of South Dakota Codified Laws that provide for paternity determinations, presumptions, and disestablishment proceedings; and,

WHEREAS, It is deemed necessary and in the best interest of the state of South Dakota to consider provisions that provide courts discretion and authority to allow child support arrearages owed to a parent whose parental rights are being terminated to become a debt due the child; and,

WHEREAS, Section 1-32-4.1 of the South Dakota Codified Laws provides that the governor "May create such advisory councils, committees, boards or commissions as may be deemed necessary and in the best interest of the state of South Dakota..."; and,

WHEREAS, It is deemed necessary and in the best interest of the state of South Dakota to establish a commission to conduct a review of the provisions of Chapter 25-7 of the South Dakota Codified Laws:

IT IS, THEREFORE, BY EXECUTIVE ORDER, Directed that the South Dakota Commission on Child Support is established and authorized to function in compliance with the following sections of this order.

GENERAL PROVISIONS

Section 1. The name of the commission is the South Dakota Commission on Child Support.

Section 2. The Governor of South Dakota shall appoint as many members as he deems necessary to fulfill the goals of the commission. Members shall serve at the pleasure of the governor. The commission membership shall include, but not be limited to, one or more representatives of the following:

- 1) noncustodial parent;
- 2) custodial parent;
- 3) the South Dakota Judiciary;
- 4) the South Dakota Department of Social Services; and
- 5) a member in good standing of the South Dakota State Bar.

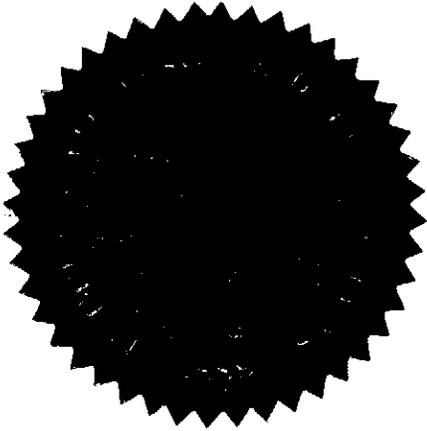
Section 3. The Speaker of the South Dakota House of Representatives and the President Pro Tem of the Senate shall meet and designate a member from each chamber of the South Dakota State Legislature to participate on the commission.

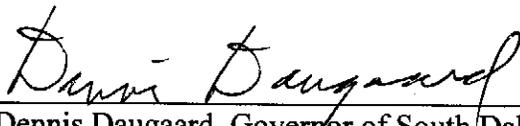
Section 4. The South Dakota Commission on Child Support shall conduct a review of the: support obligation laws as required by Section 25-7-6.12 of the South Dakota Codified Laws; provisions for paternity determinations, presumptions, and disestablishment proceedings in Chapter 25-8 and related sections; and South Dakota Codified Laws related to child support arrearages owed to a parent whose parental rights are being terminated; and submit a report to the governor and the legislature no later than December 31, 2012.

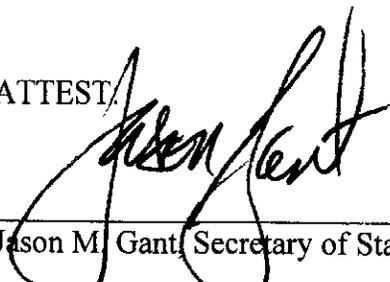
Section 5. The South Dakota Commission on Child Support shall be administered by the Department of Social Services. Expenses of the members to attend meetings shall be paid by the Department of Social Services.

Section 6. The South Dakota Commission on Child Support shall dissolve and cease to exist upon completion of its report to the governor and the legislature.

Dated at Pierre, South Dakota, this Third day of February, 2012.




Dennis Daugaard, Governor of South Dakota

ATTEST 
Jason M. Gant, Secretary of State