



2022 South Dakota Legislature

House Bill 1140

Introduced by: **Representative Bordeaux**

1 **An Act to permit the use of tribal identification cards when registering to vote.**

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

3 **Section 1. That § 12-4-5.4 be AMENDED:**

4 **12-4-5.4.** Any person registering to vote shall provide the person's valid South
 5 Dakota driver license number, a tribal identification card number, or a South Dakota
 6 nondriver identification number on the voter registration form. If a person does not have
 7 a valid South Dakota driver license, tribal identification card, or a South Dakota nondriver
 8 identification number, the person ~~shall~~ must provide the last four digits of the person's
 9 social security number on the voter registration form. If a person does not have a valid
 10 South Dakota driver license, a tribal identification card, South Dakota nondriver
 11 identification number, or a social security number, the person may only register at the
 12 county auditor's office and ~~shall~~ must sign a statement verifying ~~the fact~~ that the person
 13 does not have a valid South Dakota driver license, a tribal identification card, South Dakota
 14 nondriver identification number, or a social security number. The statement ~~shall~~ must be
 15 prescribed by the State Board of Elections.

16 For the purposes of this section, the term, tribal identification card, means an
 17 unexpired identification card issued by a South Dakota tribal government of a tribe
 18 recognized by the Bureau of Indian Affairs, and that contains the legal name, date of birth,
 19 signature, and picture of the enrolled tribal member.

20 **Section 2. That § 12-4-5.5 be AMENDED:**

21 **12-4-5.5.** At the time voter registration information is transmitted from a county
 22 to the statewide voter registration file, the authenticity of the driver license number or the
 23 South Dakota nondriver identification number ~~shall~~ must be verified with the driver license
 24 database. If the person has provided the last four digits of ~~his or her~~ the person's social
 25 security number, the social security database ~~shall~~ must be checked to determine that the

1 number, name, and date of birth are accurate and that this information does belong to
2 such person. If any of this information is reported as not being accurate, the county auditor
3 shall withdraw the voter registration and attempt to get the correct information with the
4 process provided in § 12-4-5.3. The State Board of Elections ~~may~~ shall promulgate rules,
5 pursuant to chapter 1-26, determining technical parameters for the driver license and
6 social security database verification, and for verifying the authenticity of a tribal
7 identification card.