



2022 South Dakota Legislature
House Bill 1268
ENROLLED

AN ACT

ENTITLED An Act to revise provisions related to name changes when obtaining a marriage license.

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

Section 1. That § 25-1-10.1 be AMENDED:

25-1-10.1. To obtain a marriage license, each applicant shall sign the marriage license application in person in the presence of the register of deeds or in the presence of a person duly appointed by the register to act in the register's behalf. Each applicant shall provide valid personal identification and provide proof of age before issuance of the marriage license. Proof of age and personal identification must be satisfied by providing a valid:

- (1) Passport;
- (2) Federal, state, military, or tribal photo identification;
- (3) Certified birth certificate, along with a current school or employment photo ID; or
- (4) Certified birth certificate, along with a U.S. Department of the Treasury Form 4029 that is completed.

On the marriage license application, each applicant shall provide the name the applicant shall be known by after the solemnization of the marriage. This choice must be indicated on the certificate of marriage and serve as a legal means for a name change. A first name may not be changed under this section. A middle name may only be changed if an applicant is changing the applicant's surname to become a middle name. A surname may only be changed to adopt the spouse's surname or the applicants' hyphenated surnames.

No person may use a power of attorney to obtain a marriage license.

An Act to revise provisions related to name changes when obtaining a marriage license.

I certify that the attached Act originated in the:
House as Bill No. 1268

Received at this Executive Office this ____ day of _____, 2022 at _____ M.

Chief Clerk

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this _____ day of _____, A.D., 2022

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2022 at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1268
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State