

2023 South Dakota Legislature

House Bill 1103**AMENDMENT 1103B
FOR THE INTRODUCED BILL**

1 **An Act to waive the fee for nondriver identification cards for individuals at or below**
2 **the federal poverty level.**

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

4 **Section 1. That chapter 32-12 be amended with a NEW SECTION:**

5 The Department of Public Safety shall waive the fee for an original nondriver
6 identification card or ~~the renewal of a reissued~~ nondriver identification card if the applicant
7 has an annual household income at or below one hundred percent of the federal poverty
8 level. The applicant shall ~~sign and submit evidence an affidavit~~ to the department, with
9 the application, ~~to verify stating that~~ the applicant's income level ~~is at or below one~~
10 hundred percent of the federal poverty level.

11 The Department of Public Safety shall promulgate rules, pursuant to chapter 1-26,
12 ~~to establish acceptable forms of evidence to verify income eligibility prescribe the form of~~
13 the affidavit under this section.

14 **Section 2. That § 32-12-17.2 be AMENDED:**

15 **32-12-17.2.** The Department of Public Safety may issue upon application a
16 nondriver identification card, similar in form but distinguishable in color from a driver
17 licenses license, to any resident ~~of South Dakota~~ this state. Each applicant for a nondriver
18 identification card shall, as part of the application, present to the department a certified
19 copy of a certificate of birth or another form of evidence of date of birth and identity as
20 allowed by § 32-12-3.1. ~~The~~ Except as provided in section 1 of this Act, the fee for an
21 original or reissued nondriver identification card is the same as prescribed for an original
22 driver license in § 32-12-16. Each nondriver identification card expires on the holder's
23 birthday in the fifth year following the issuance of the nondriver identification card, or on
24 the date of expiration of the applicant's authorized stay in the United States as determined
25 by the systematic alien verification for entitlements system or alternate method approved

1 by the United States Department of Homeland Security or, if there is no expiration date,
2 for a period no longer than one year from date of issuance, whichever occurs first. Each
3 nondriver identification card is renewable one hundred eighty days before its expiration
4 upon application and payment of the required fee. The fee for the renewal of a nondriver
5 identification card is the same as prescribed for a driver license in § 32-12-16. Any
6 nondriver identification card renewed before its expiration expires five years after the
7 holder's ensuing birthday, or on the date of expiration of the applicant's authorized stay
8 in the United States as determined by the systematic alien verification for entitlements
9 system or alternate method approved by the United States Department of Homeland
10 Security or, if there is no expiration date, for a period no longer than one year from date
11 of issuance, whichever occurs first. The nondriver identification card shall bear an
12 indication if the holder has a living will pursuant to chapter 34-12D or a durable power of
13 attorney for health care pursuant to chapter 59-7 and an indication if the holder is a
14 veteran pursuant to the provisions of § 32-12-17.15. Any nondriver identification card
15 renewed during the thirty-day period following the date of expiration expires five years
16 from the holder's previous birthday, or on the date of expiration of the applicant's
17 authorized stay in the United States as determined by the systematic alien verification for
18 entitlements system or alternate method approved by the United States Department of
19 Homeland Security or, if there is no expiration date, for a period no longer than one year
20 from date of issuance, whichever occurs first.