

# **SOUTH DAKOTA LEGISLATIVE RESEARCH COUNCIL**

## **2024 South Dakota Legislature**

FISCAL NOTE 2024-FN1098B

HB1098, An Act to provide free birth certificates to persons experiencing homelessness.

HB1098 provides a birth certificate at no cost to a person experiencing homelessness. The person must apply for a birth certificate and provide evidence of homelessness including an affidavit from a government or nonprofit agency attesting to the homelessness. An individual is eligible for one free birth certificate only.

The South Dakota Housing Development Authority (SDHDA) performs an annual census of the number of people who experience homelessness in South Dakota. Between 2019 and 2023, an average of 1,108 people experienced homelessness each year. Also, between 2019 and 2023, an average of 274 people experienced homelessness for the first time each year.

SDCL 34-25-52 entitles an agency to a fee relating to the administrative cost for each search of the files and records. ARSD 44:09:06:02 sets the fee for each birth certificate at \$13. SDCL 34-25-52.2 also adds in a \$2 fee for supplying a birth certificate which goes into the children's trust fund.

Assuming the person experiencing homelessness otherwise qualified under the bill, that person would not be required to pay either the \$13 administrative cost or the \$2 fee to receive a copy of their birth certificate. In the first year, the cost to the state could be \$14,406 to cover the administrative cost which could be paid out of the general fund, and the children's trust fund could also lose \$2,216 in revenue for a total of \$16,623. In subsequent years, the cost to the state could be \$3,564 to cover the administrative cost, and the children's trust fund could lose \$548 in revenue for a total of \$4,113 per year.

The fiscal impact of this bill was calculated using data provided by the SDHDA.

APPROVED BY: /s/ John McCullough  
Director, Legislative Research Council

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