

## 2024 South Dakota Legislature

**House Bill 1131****AMENDMENT 1131A  
FOR THE INTRODUCED BILL**

1 **An Act to waive certain fees for nondriver identification cards for individuals who**  
2 **are homeless.**

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 ~~one-time~~ for an original  
6 nondriver identification card or a duplicate nondriver identification card if the applicant is  
7 homeless.

8 In order for the fee to be waived, the applicant must submit ~~a letter~~, with the  
9 application, ~~an affidavit~~ from a homeless services provider attesting that the applicant is  
10 homeless. The ~~letter affidavit~~ must be signed by an employee of the homeless service  
11 provider.

12 For the purposes of this section, the term "homeless" means an individual who:

- 13 (1) Lacks a fixed, regular, and adequate nighttime residence;  
14 (2) Has a primary nighttime residence that is a place not ordinarily used as a regular  
15 sleeping accommodation for human beings; or  
16 (3) Is living in a homeless shelter.

17 For the purposes of this section, "homeless services provider" means any  
18 government or nonprofit agency that provides a homeless shelter, housing assistance  
19 program, or homeless outreach or advocacy program.

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

21 **32-12-17.2.** The Department of Public Safety may issue upon application a  
22 nondriver identification card, similar in form but distinguishable in color from a driver  
23 licenses license, to any resident of ~~South Dakota~~ this state. Each applicant for a nondriver  
24 identification card shall, as part of the application, present to the department a certified

1 copy of a certificate of birth or another form of evidence of date of birth and identity as  
2 allowed by § 32-12-3.1. ~~The fee~~

3 Except as provided in section 1 of this Act, the fees for an original or reissued a  
4 nondriver identification card is are the same as prescribed for ~~an original a~~ driver license  
5 in § 32-12-16. Each nondriver identification card expires on the holder's birthday in the  
6 fifth year following the issuance of the nondriver identification card, or on the date of  
7 expiration of the applicant's authorized stay in the United States as determined by the  
8 systematic alien verification for entitlements system or alternate method approved by the  
9 United States Department of Homeland Security or, if there is no expiration date, for a  
10 period no longer than one year from date of issuance, whichever occurs first. Each  
11 nondriver identification card is renewable one hundred eighty days before its expiration  
12 upon application and payment of the required fee. Any nondriver identification card  
13 renewed before its expiration expires five years after the holder's ensuing birthday, or on  
14 the date of expiration of the applicant's authorized stay in the United States as determined  
15 by the systematic alien verification for entitlements system or alternate method approved  
16 by the United States Department of Homeland Security or, if there is no expiration date,  
17 for a period no longer than one year from date of issuance, whichever occurs first.

18 The nondriver identification card ~~shall~~ must bear an indication if the holder has a  
19 living will pursuant to chapter 34-12D or a durable power of attorney for health care  
20 pursuant to chapter 59-7 and an indication if the holder is a veteran pursuant to the  
21 provisions of § 32-12-17.15. Any nondriver identification card renewed during the thirty-  
22 day period following the date of expiration expires five years from the holder's previous  
23 birthday, or on the date of expiration of the applicant's authorized stay in the United States  
24 as determined by the systematic alien verification for entitlements system or alternate  
25 method approved by the United States Department of Homeland Security or, if there is  
26 no expiration date, for a period no longer than one year from date of issuance, whichever  
27 occurs first.