



# 2024 South Dakota Legislature

## House Bill 1098

HOUSE HEALTH AND HUMAN SERVICES ENGROSSED

Introduced by: **Representative Tordsen**

1 **An Act to provide free birth certificates to persons experiencing homelessness.**

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

3 **Section 1. That chapter 34-25 be amended with a NEW SECTION:**

4 Notwithstanding § 34-25-52, the department must provide, at no cost, a certified  
 5 copy of a person's South Dakota birth certificate, limited to one, upon application and  
 6 proof of that person's homelessness. The person or the person's spouse, child, parent,  
 7 guardian, next of kin, or authorized representative may apply for a certified copy of the  
 8 person's birth certificate pursuant to this section.

9 An affidavit developed by the department attesting to the person's housing status  
 10 is proof of homelessness for the purposes of this section. The department may not accept  
 11 an affidavit as proof of homelessness unless signed by the person experiencing  
 12 homelessness and a homeless services provider with knowledge of the person's housing  
 13 status.

14 For the purposes of this section, the term "homeless services provider" means any  
 15 government or nonprofit agency that provides a food bank, homeless shelter, housing  
 16 assistance program, homeless outreach or advocacy program, or any similar program;  
 17 any human services or social services agency, public or private, providing health services,  
 18 behavioral health services, substance use disorder services, or employment or public  
 19 assistance services to homeless persons; or any law enforcement officer designated as a  
 20 liaison to the homeless population by a local police department or sheriff's department.