



2024 South Dakota Legislature  
**Senate Bill 69**  
**ENROLLED**

AN ACT

**ENTITLED An Act to amend certain provisions pertaining to the South Dakota Retirement System.**

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

**Section 1. That § 3-12C-814 be AMENDED:**

**3-12C-814.** No application for disability benefits pursuant to § 3-12C-812 may be determined until the member's employer has submitted a completed form and supporting documentation that provides the member's position, usual duties of the position, any modifications or accommodations provided, and the member's employment history with the employer.

**Section 2. That § 3-12C-815 be AMENDED:**

**3-12C-815.** No application for disability benefits pursuant to § 3-12C-812 may be determined until a health care provider has completed a form providing an evaluation of the member's diagnosis, complicating conditions, including limitations or restrictions, and the member's ability to perform the duties required by the member's employment. If no form is provided by a health care provider, the member must submit other medical documentation of the diagnosis, complicating conditions, including limitations or restrictions, and the member's ability to perform usual duties required by the member's employment.

**Section 3. That § 3-12C-1208 be AMENDED:**

**3-12C-1208.** No retirement benefit may be paid unless the system has received a completed application for a retirement benefit, including the benefit option elected. The application must be signed by the generational member, and the member shall provide a copy of the member's current driver license or other picture identification card issued by a government agency or tribe. If the member is married, the spouse must sign the

application and provide a copy of the spouse's current driver license or other picture identification card issued by a government agency or tribe.

A member who is married is not required to obtain the signature of the member's spouse if the member submits a completed form, in which the member certifies, under the penalty of perjury, that the member is unable to obtain the signature of the member's spouse because either:

- (1) The member does not know where the member's spouse is and has made a good faith effort to locate the spouse; or
- (2) Exceptional circumstances make it inappropriate for the member to obtain the signature of the member's spouse.

If the member is unable to obtain the signature of the member's spouse for either reason, the member must elect the sixty percent joint and survivor benefit pursuant to § 3-12C-1209 and provide documentation to support the assertion of subdivision (1) or (2) of this section.

An Act to amend certain provisions pertaining to the South Dakota Retirement System.

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I certify that the attached Act originated in the:

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_,

Senate as Bill No. 69

2024 at \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of the Senate

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
President of the Senate

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2024

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
Speaker of the House

Attest:

Filed \_\_\_\_\_, 2024  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Secretary of State

Senate Bill No. 69  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State