



2025 South Dakota Legislature

House Bill 1074

Introduced by: **Representative Muckey**

1 **An Act to modify the individuals eligible to sign an affidavit of homelessness for**
 2 **purposes of obtaining a free copy of a birth certificate.**

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

4 **Section 1. That § 34-25-52.7 be AMENDED:**

5 **34-25-52.7.** Notwithstanding § 34-25-52, the department must provide, at no
 6 cost, a certified copy of ~~a person's~~ an individual's South Dakota birth certificate, limited
 7 to one, upon application and proof of that person's homelessness. The ~~person~~ individual
 8 or the ~~person's~~ individual's spouse, child, parent, guardian, next of kin, or authorized
 9 representative may apply for a certified copy of the ~~person's~~ individual's birth certificate
 10 pursuant to this section.

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

16 For the purposes of this section, the term "homeless services provider" means any:
 17 ~~government~~

18 (1) Government or nonprofit agency that provides a food bank, homeless shelter,
 19 housing assistance program, homeless outreach or advocacy program, or any
 20 similar program; ~~any human~~

21 (2) Human services or social services agency, public or private, providing health
 22 services, behavioral health services, substance use disorder services, or
 23 employment or public assistance services to homeless ~~persons~~ individuals; ~~or any~~
 24 ~~law~~

25 (3) Law enforcement officer designated as a liaison to the homeless population by a
 26 local police department or sheriff's department;

- 1 (4) Homeless liaison designated by a school district, as described by 42 U.S.C. § 11432
- 2 (January 1, 2025);
- 3 (5) School counselor, certified by the Department of Education;
- 4 (6) School nurse, licensed in accordance with chapter 36-9; or
- 5 (7) Social worker, licensed in accordance with chapter 36-26.