



2025 South Dakota Legislature
House Bill 1074
ENROLLED

AN ACT

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

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

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

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

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

For the purposes of this section, the term "homeless services provider" means any:

- (1) Government or nonprofit agency that provides a food bank, homeless shelter, housing assistance program, homeless outreach or advocacy program, or any similar program;
- (2) Human services or social services agency, public or private, providing health services, behavioral health services, substance use disorder services, or employment or public assistance services to homeless individuals;
- (3) Law enforcement officer designated as a liaison to the homeless population by a local police department or sheriff's department;
- (4) Homeless liaison designated by a school district, as described by 42 U.S.C. § 11432 (January 1, 2025);
- (5) School counselor, certified by the Department of Education;

- (6) School nurse, licensed in accordance with chapter 36-9; or
- (7) Social worker, licensed in accordance with chapter 36-26.

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

I certify that the attached Act originated in the:
House as Bill No. 1074

Received at this Executive Office this ____ day of _____, 2025 at _____ M.

Chief Clerk

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this ____ day of _____, A.D., 2025

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2025 at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1074
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State