



## 2026 South Dakota Legislature

# Senate Bill 35

*Introduced by: The Chair of the Committee on Military and Veterans Affairs at the request of the Department of Veterans Affairs*

1 **An Act to revise the process for requesting a veteran's certificate of discharge from**  
 2 **a county register of deeds.**

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

4 **Section 1. That § 33A-2-8 be AMENDED:**

5 ~~**33A-2-8.** The provisions of subdivision 43-28-2(7) apply to any certificate of~~  
 6 ~~discharge of any person who is a veteran as defined in § 33A-2-1. The certificate shall be~~  
 7 ~~recorded without charge and a certified copy of each version of the veteran's discharge,~~  
 8 ~~excluding any copy that does not reflect the veteran's character of discharge, shall be~~  
 9 ~~furnished to the person named in the certificate or the person's dependents without charge~~  
 10 ~~if requested for the purpose of presenting or prosecuting a claim for compensation or~~  
 11 ~~pension. Otherwise, a discharge document recorded by the recorder or a designated~~  
 12 ~~official may be made available only to the veteran, the veteran's parents, the veteran's~~  
 13 ~~next of kin, the veteran's legal representative, a county veterans service officer, a~~  
 14 ~~nationally accredited veterans' organization service officer, the Department of Veterans~~  
 15 ~~Affairs, or the veteran's designee. Any person requesting a discharge document shall~~  
 16 ~~complete a form containing a statement specifying the person's eligibility to receive the~~  
 17 ~~document based upon this section. The Department of Veterans Affairs shall provide the~~  
 18 ~~forms to each county register of deeds~~

19 A veteran may record, with a county register of deeds, any certificate of discharge  
 20 from service in the armed forces of the United States or the National Guard, without  
 21 charge.

22 The county register of deeds shall provide a certified copy of the veteran's  
 23 certificate of discharge, without charge, upon request from:

24 (1) The veteran;

25 (2) A representative of the Department of Veterans Affairs;

26 (3) An individual designated by the veteran to have access to the certificate;

1       (4) The veteran's legal representative;

2       (5) A veterans' service officer that is:

3           (a) Employed by a county in this state, pursuant to § 33A-1-22; or

4           (b) Appointed by an Indian tribe, pursuant to § 33A-1-29;

5       (6) A veterans service organization representative, accredited by the United States  
6           Department of Veterans Affairs; or

7       (7) The veteran's next of kin, if the veteran is deceased.

8           This section does not apply to a version of a veteran's certificate of discharge that  
9           does not display the veteran's type of discharge.

10           An individual requesting a certified copy of a veteran's certificate of discharge shall  
11           submit to the register of deeds a form, provided by the Department of Veterans Affairs,  
12           that discloses the individual's eligibility to be issued the certified copy pursuant to this  
13           section.