



## 2026 South Dakota Legislature

# Senate Bill 53

*Introduced by: The Chair of the Committee on Retirement Laws at the request of the South Dakota Retirement System*

1 **An Act to ensure uniformity in member identification provisions governing the South**  
 2 **Dakota Retirement System.**

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

4 **Section 1. That § 3-12C-602 be AMENDED:**

5 **3-12C-602.** A member who has left covered employment may withdraw the sum  
 6 of the member's accumulated contributions upon application to the system and submission  
 7 of a copy of the member's current driver license or other picture identification card issued  
 8 by a government agency or tribe executive director, on a form approved by the system.  
 9 If the member is married, the member's spouse shall sign the application and provide a  
 10 copy of the spouse's current driver license or other picture identification card issued by a  
 11 government agency or tribe must sign the form.

12 A member who withdraws the member's accumulated contributions pursuant to  
 13 this section forfeits all credited service and benefits provided in this chapter.

14 The right to withdraw accumulated contributions ceases if the member returns to  
 15 covered employment with a participating unit.

16 **Section 2. That § 3-12C-1208 be AMENDED:**

17 **3-12C-1208.** No retirement benefit may be paid unless the system has received  
 18 a completed application for a retirement benefit, including the benefit option elected. The  
 19 application must be signed by the generational member, and the member shall provide a  
 20 copy of the member's current driver license or other picture identification card issued by  
 21 a government agency or tribe made to the executive director, on a form approved by the  
 22 system. If the member is married, the member's spouse must sign the application and  
 23 provide a copy of the spouse's current driver license or other picture identification card  
 24 issued by a government agency or tribe form.

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

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

9           If the member is unable to obtain the signature of the member's spouse for either  
10 reason, the member must elect the sixty percent joint and survivor benefit pursuant to  
11 § 3-12C-1209 and provide documentation to support the assertion of subdivision (1) or  
12 (2) of this section.