



2026 South Dakota Legislature
Senate Bill 53
ENROLLED

AN ACT

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

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

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

3-12C-602. A member who has left covered employment may withdraw the sum of the member's accumulated contributions upon application to the executive director, on a form approved by the system. If the member is married, the member's spouse must sign the form.

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

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

Section 2. 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 made to the executive director, on a form approved by the system. If the member is married, the member's spouse must sign the form.

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:

- (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 ensure uniformity in member identification provisions governing the South Dakota Retirement System.

I certify that the attached Act originated in
the:
Senate as Bill No. 53

Received at this Executive Office
this ____ day of _____,
2026 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., 2026

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2026
at _____ o'clock __ M.

Chief Clerk of the House

Secretary of State

Senate Bill No. 53
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State