



2020 South Dakota Legislature

Senate Bill 146

HOUSE ENGROSSED

Introduced by: **Senator Heinert**

1 **An Act to revise provisions related to tribal identification cards.**

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

3 **Section 1.** That § 1-54-7 be AMENDED:

4 **1-54-7. Tribal identification cards--Exception.**

5 A tribal identification card is a valid form of identification for all purposes relating
 6 to commerce, including for all purposes relating to banks or financial institutions for which
 7 a South Dakota nondriver identification card or a South Dakota driver license may be
 8 used. Furthermore, tribal identification cards shall be accepted as valid forms of
 9 identification for the purpose of cashing checks wherever checks may be cashed and for
 10 purposes where the age of the person needs to be verified. For purposes of this section
 11 and §§ 22-40-9, 22-40-18, and 34-46-1, the term, tribal identification card, means an
 12 unexpired identification card issued by a South Dakota tribal government of a tribe
 13 recognized by the Bureau of Indian Affairs, United States Department of the Interior, that
 14 contains the legal name, date of birth, signature, and picture of the enrolled tribal
 15 member. Reasonable reliance upon a tribal identification card as proof of age of the
 16 purchaser or the recipient of an age-restricted product is a complete defense to any action
 17 brought against a person for the sale or distribution of a product that is subject to state
 18 or federal age-related purchase and possession restrictions. This section does not modify
 19 any provision of the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives
 20 regulations concerning permissible forms of identification for use in the purchase of
 21 firearms.