



2021 South Dakota Legislature
House Bill 1067
ENROLLED

AN ACT

ENTITLED An Act to modify identification requirements for a marriage license and to provide certain provisions for a name change.

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

Section 1. That § 25-1-10.1 be AMENDED.

25-1-10.1. Application for marriage license--Proof of age and identification required.

To obtain a marriage license, each applicant shall sign the application in person in the presence of the register of deeds or in the presence of a person duly appointed by the register to act in the register's behalf. Each applicant shall provide valid personal identification and provide proof of age prior to issuance of the marriage license. Proof of age and personal identification shall be satisfied by providing a valid:

- (1) Passport;
- (2) Federal, state, military, or tribal photo identification;
- (3) Certified birth certificate, along with a current school or employment photo ID; or
- (4) Certified birth certificate, along with a U.S. Department of the Treasury Form 4029 that is completed.

On the marriage license application, each applicant shall provide the surname the applicant shall be known by after the solemnization of the marriage. This choice shall be indicated on the certificate of marriage and serve as a legal means for a name change. However, a legal name change may not be obtained under this section if either of the applicants is changing a first or a middle name or changing a last name to something other than the applicant's surname, the spouse's surname, or the applicants' hyphenated surnames. Additionally, no person may use a power of attorney to obtain a marriage license.

An Act to modify identification requirements for a marriage license and to provide certain provisions for a name change.

I certify that the attached Act originated in the:
House as Bill No. 1067

Received at this Executive Office this ____ day of _____, 2021 at _____ M.

Chief Clerk

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this ____ day of _____, A.D., 2021

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2021 at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1067
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State