



2024 South Dakota Legislature

Senate Bill 119

Introduced by: **Senator Bordeaux**

1 **An Act to permit the use of tribal identification cards when registering to vote.**

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

3 **Section 1. That § 12-4-5.4 be AMENDED:**

4 **12-4-5.4.** Any person registering to vote shall provide the person's valid South
 5 Dakota driver license number, a tribal identification card, or a South Dakota nondriver
 6 identification number on the voter registration form. If a person does not have a valid
 7 South Dakota driver license, a tribal identification card, or a South Dakota nondriver
 8 identification number, the person ~~shall~~ must provide the last four digits of the person's
 9 social security number on the voter registration form. If a person does not have a valid
 10 South Dakota driver license, a tribal identification card, a South Dakota nondriver
 11 identification number, or a social security number, the person may only register at the
 12 county auditor's office and ~~shall~~ must sign a statement verifying ~~the fact~~ that the person
 13 does not have a valid South Dakota driver license, a tribal identification card, a South
 14 Dakota nondriver identification number, or a social security number. The statement ~~shall~~
 15 must be prescribed by the State Board of Elections.

16 For purposes of this section and § 12-4-5.5, the term "tribal identification card"
 17 means an unexpired identification card issued by a South Dakota tribal government of a
 18 tribe recognized by the Bureau of Indian Affairs, and that contains the legal name, date
 19 of birth, signature, and picture of the enrolled tribal member.

20 **Section 2. That § 12-4-5.5 be AMENDED:**

21 **12-4-5.5.** At the time voter registration information is transmitted from a county
 22 to the statewide voter registration file, the secretary of state shall verify the authenticity
 23 of ~~the~~ a driver license number or ~~the~~ a South Dakota nondriver identification number with
 24 the driver license database. The secretary of state shall verify the authenticity of a tribal
 25 identification card with the tribal government that issued the card. If the last four digits

1 of the person's social security number have been provided, the secretary of state shall
2 review the social security database to determine that the number, name, and date of birth
3 are accurate and that this information belongs to the person. If any of this information is
4 reported as not being accurate, the county auditor must withdraw the voter registration
5 and attempt to get the correct information with the process provided in § 12-4-5.3. The
6 State Board of Elections shall promulgate rules, pursuant to chapter 1-26, determining
7 technical parameters for the driver license and social security database verification and
8 the process for verifying the authenticity of a tribal identification card.