

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

814S0408

HOUSE BILL NO. 1199

Introduced by: Representatives Steele, Boomgarden, Brunner, Hubbel, Jensen, Kirkeby, Liss, Magstadt, Miller, Munsterman, Nelson (Stace), Olson (Betty), Stricherz, Verchio, and White and Senators Begalka, Holien, Lederman, and Novstrup (Al)

1 FOR AN ACT ENTITLED, An Act to provide for a compact concerning citizenship.

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

3 Section 1. The Governor of South Dakota may execute a compact on behalf of the state with
4 any one or more states who may by their legislative bodies, authorize a compact, in form
5 substantially as follows:

6 (1) The state shall make a distinction in the birth certificates, certifications of live birth,
7 or other birth records issued in the state, between persons born in the state who are
8 born subject to the jurisdiction of the United States and persons who are not born
9 subject to the jurisdiction of the United States. Persons born subject to the
10 jurisdiction of the United States shall be designated as natural-born United States
11 citizens.

12 (2) For the purposes of this compact, the phrase, subject to the jurisdiction of the United
13 States, has the meaning that it bears in section 1 of the Fourteenth Amendment to the
14 United States Constitution, namely that the person is a child of at least one parent



1 who owes no allegiance to any foreign sovereignty, or a child without citizenship or
2 nationality in any foreign country. For the purposes of this compact, a person who
3 owes no allegiance to any foreign sovereignty is a United States citizen or national,
4 or an immigrant accorded the privilege of residing permanently in the United States,
5 or a person without citizenship or nationality in any foreign country.

6 (3) This compact does not take effect until Congress has given its consent, pursuant to
7 Article I, Section 10, Clause 3 of the United States Constitution.