**44:09:05:06.  Addition of given names on birth certificates.** Until the registrant's first birthday, any given name for a child whose birth was recorded without a given name may be added to the certificate by an affidavit signed by both parents or by one of the following:

(1)  The mother in the case of a child born out of wedlock;

(2)  The father in the case of the death or incapacity of the mother;

(3)  The mother in the case of the death or incapacity of the father; or

(4)  The guardian or agency having legal custody of the registrant.

After the first birthday, documentary evidence shall be submitted to substantiate the name being added.

**Source:** SL 1975, ch 16, § 1; 6 SDR 93, effective July 1, 1980; 26 SDR 89, effective January 9, 2000; 31 SDR 213, effective July 4, 2005.

**General Authority:** SDCL 34-25-51.

**Law Implemented:** SDCL 34-25-51.