**44:09:02:10.  Certifying to facts on delayed birth certificates.** Unless the delayed certificate of birth was established by court order, each delayed certificate of birth shall be signed and sworn to before an official authorized to administer oaths by the person whose birth is to be registered if the person is of legal age and is competent to sign. Otherwise, the certificate shall be signed and sworn to by one of the following in the indicated order of priority:

(1)  One of the parents of the registrant;

(2)  The guardian of the registrant; or

(3)  The legal representative acting for the registrant.

**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 34-25-42.

**Law Implemented:** SDCL 34-25-42.