

AN ACT

ENTITLED, An Act to revise certain procedures regarding the election process.

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

Section 1. That § 12-6-56 be amended to read as follows:

12-6-56. If a vacancy occurs by reason of death or withdrawal after a primary election, a party candidate for public office may be replaced by a new nominee if a meeting of the appropriate party central committee is held and the results are certified to the appropriate official within the times prescribed by § 12-8-6. If the vacancy is a party candidate for presidential elector or statewide office, the vacancy shall be filled by the State Party Central Committee. If the vacancy is a party candidate for public office other than presidential elector or statewide office, the vacancy shall be filled by a vote of county party central committee members in attendance who reside in the affected district.

Section 2. That § 12-7-7 be amended to read as follows:

12-7-7. Any candidate for President or Vice President of the United States who is not nominated by a primary election may be nominated by filing with the secretary of state not prior to January first at eight a.m. and not later than the first Tuesday in August at five p.m. prior to the election, a certificate of nomination which shall be executed as provided in chapter 12-6. If the certificate of nomination is mailed by registered mail by the first Tuesday in August at five p.m. prior to the election, it is timely submitted. The certificate shall designate the name of the national political party, or political party organized pursuant to chapter 12-5, with which the candidate's electors have an affiliation. If no affiliation exists, the electors shall be designated by the term, no party. The number of signatures required may not be less than one percent of the total combined vote cast for Governor at the last certified gubernatorial election within the state. An independent candidate for President shall file a declaration of candidacy and a certification of the candidate's selection for Vice President with the secretary of state prior to circulation of the candidate's nominating petitions. The candidate

and the candidate's selection for Vice President shall sign the certification before it is filed. The State Board of Elections shall promulgate rules pursuant to chapter 1-26 prescribing the forms for the certificate of nomination and the certification for Vice President.

Section 3. That § 12-17B-11 be amended to read as follows:

12-17B-11. Except for any specially trained technicians representing the equipment vendor and required for the operation of the automatic tabulating equipment, there shall be equal representation from each political party having a candidate on the ballot and whose candidate on the county-wide ballot at the last general election received at least fifteen percent of the votes amongst those employed or authorized to receive, process, or tabulate the ballots. The proposed list of employees shall be submitted to each county party chairperson at least thirty days prior to the election. Each person shall, prior to discharging any duties, take and subscribe to an oath as prescribed by the State Board of Elections.

Section 4. That § 12-19-3 be amended to read as follows:

12-19-3. Upon receiving an application for absentee ballots, the person in charge of an election shall, within forty-eight hours, or if ballots are not then on hand, then within forty-eight hours after receipt of the ballots, after confirming from the master registration file that the applicant is registered as a voter pursuant to chapter 12-4, enclose one of each of the official ballots, a set of instructions on absentee balloting, and an unsealed return envelope. All of the enclosures shall be sealed in an envelope addressed to the applicant at the place stated in the application. If a registration form is received simultaneous with an absentee ballot request and prior to the registration deadline, the absentee ballot provided shall be based on the submitted registration form.

Section 5. That § 34-11A-29 be amended to read as follows:

34-11A-29. A regular meeting of the registered voters who are residing within the boundaries of a district shall be held in the first quarter of each calendar year and special meetings may be called

by the board of directors at any time. The annual election shall be conducted during the regular meeting consistent with the provisions of chapter 8-3. Notice of the annual election shall be given by the secretary-treasurer by one publication in a legal newspaper of general circulation in each county in which the district is situated. The meeting shall be held not less than seven days nor more than fourteen days after the date of publication of the notice.

Section 6. That § 34-31A-43 be amended to read as follows:

34-31A-43. A regular meeting of the electors who are owners of any interest in real property assessed for taxation in the district and who are residing within the boundaries of a district shall be held in the first quarter of each calendar year and special meetings may be called by the board of directors at any time. The annual election shall be conducted during the regular meeting consistent with the provisions of chapter 8-3. Notice of the annual election shall be given by the secretary-treasurer by one publication in a legal newspaper of general circulation in each county in which the district is situated. The meeting shall be held not less than seven days nor more than fourteen days after the date of publication of the notice.

An Act to revise certain procedures regarding the election process.

I certify that the attached Act
originated in the

HOUSE as Bill No. 1006

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1006

File No. _____

Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock ____ M.

Secretary of State

By _____
Asst. Secretary of State