



## 2021 South Dakota Legislature

# House Bill 1125

Introduced by: **Representative** Dennert

1 **An Act to define adjournment for the counting of ballots.**

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

3 **Section 1.** That § 12-20-1 be AMENDED.

4 **12-20-1. Delivery of supplies to counting board--Certificate of transmittal**  
 5 **and receipt--Commencement of count--Continuation without adjournment--**  
 6 **Comparison and correction of poll lists--Penalty.**

7 As soon as the polls are closed, the precinct superintendent and precinct deputies  
 8 shall audit the ballot count as prescribed in §§ 12-20-2 and 12-20-3. The precinct  
 9 superintendent and precinct deputies shall then immediately deliver the ballot boxes,  
 10 registration book, pollbook, and other election supplies, including voided and unused  
 11 ballots, to the counting board, if appointed, and sign a certificate of transmittal and receipt  
 12 as prescribed by the State Board of Elections. The members of the precinct election board  
 13 or the counting board, if appointed, shall then immediately proceed to count publicly, in  
 14 the presence of all persons desiring to attend the count, the votes received at the polls,  
 15 and continue without ~~adjournment~~ leaving the site of the count until the count is  
 16 completed. A person charged with implementing this section may not delay the counting  
 17 of ballots other than to authorize short recesses for the health and wellbeing of those  
 18 employed to implement this section. In counting the votes, the members of the precinct  
 19 election board or counting board shall use the tally sheets provided.