



2021 South Dakota Legislature

Senate Bill 145

Introduced by: **Senator Wheeler**

1 **An Act to revise the process of filling vacancies for candidates for elected office.**

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

3 **Section 1.** That § 12-6-56 be AMENDED.

4 **12-6-56. Party committee--Party ticket vacancies.**

5 If a vacancy occurs by reason of death or withdrawal after a primary election, a
6 party candidate for public office may be chosen if a meeting of the appropriate party
7 central committee is held and the results are certified to the appropriate official within the
8 times prescribed by § 12-8-6.

9 If the vacancy is a party candidate for presidential elector or statewide office, the
10 vacancy shall be filled by the State Party Central Committee. If the vacancy is a party
11 candidate for public office other than presidential elector or statewide office, the vacancy
12 shall be filled by a vote of county party central committee members in attendance who
13 reside in the affected district.

14 The certification of the results shall be signed by the person responsible for calling
15 the meeting under § 12-6-57 or the person designated to conduct the meeting under §
16 12-6-57.

17 **Section 2.** That § 12-6-57 be AMENDED.

18 **12-6-57. Meeting of party committee to fill vacancies--Manner of voting.**

19 ~~The~~ To fill a vacancy for a party candidate to a:

20 (1) State office or as a presidential elector, the party State Central Committee
21 chairman shall, upon learning of a vacancy for presidential elector or statewide
22 office nominee, forthwith issue a call by mail for such a central committee meeting
23 to fill such the vacancy, and designate the hour, date, time and place where such
24 the meeting shall be held. The;

1 (2) Multi-county legislative district, the party State Central Committee chairman shall
2 ~~call for a meeting of affected county party central committees interested, in~~
3 ~~multi-county legislative districts, to fill vacancies, shall be issued by the state party~~
4 ~~chairmen, who shall~~ members to fill the vacancy, designate the time and place
5 where the meeting shall be held, designate the person who will conduct the
6 meeting, and notify all interested-affected central committee members of this
7 information;

8 (3) Single-county legislative district or county office, the county party central
9 committee chairman shall call a meeting of the county party central committee to
10 fill the vacancy and designate the time and place where the meeting shall be held.
11 ~~of the hour, date, and place where such meeting shall be held. A call for a meeting of a~~
12 ~~single-county district party central committee, to fill vacancies, shall be issued by~~
13 ~~such county central committee chairman upon learning of such vacancy.~~

14 Vacancies filled by State Central Committee shall be by unit representation, each
15 county casting the number of votes cast in that county at the last general election for that
16 party's candidate for Governor; ~~a.~~ All other vacancies shall be filled by a majority vote of
17 ~~the party central affected committee or committees~~ members present.