



2022 South Dakota Legislature
House Bill 1106
ENROLLED

AN ACT

ENTITLED An Act to provide for the security and privacy of certain personally identifiable information for judicial officers and to declare an emergency.

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

Section 1. That § 3-1A-5 be AMENDED:

3-1A-5. The secretary of state shall prescribe and provide forms for the reporting of close economic interest. The value of a close economic interest need not be reported. Each individual filing a statement of financial interest shall subscribe to an oath or affirmation verifying the contents of the statement. All statements of financial interest shall be open to public inspection, except pursuant to section 2 of this Act.

Section 2. That chapter 3-1A be amended with a NEW SECTION:

Any personally identifiable information of a circuit court judge or justice of the Supreme Court contained in a statement of financial interest filed pursuant to this chapter is not open to public inspection. For purposes of this section, the term, personally identifiable information, means any home address, home or personal telephone number, or personal e-mail address. The county of residence of the circuit court judge or justice is a public record.

Section 3. That § 12-4-2 be AMENDED:

12-4-2. The county auditor has complete charge of maintaining and safeguarding the voter registration records in the county. The county auditor shall retain all voter registration records in the auditor's office in paper or electronic form. All such records shall be open to public inspection at all times during office hours, except pursuant to § 12-4-9 and section 4 of this Act.

Voter registration shall be conducted by each county auditor and municipal finance officer. Voter registration shall be available at the secretary of state's office and at those

locations which provide driver licenses; food stamps; temporary assistance for needy families; women, infants, and children nutrition program; medicaid; military recruitment; and assistance to the disabled as provided by the Department of Human Services.

Section 4. That chapter 12-4 be amended with a NEW SECTION:

Home address information on the voter registration record for a magistrate judge, circuit court judge, or justice of the Supreme Court eligible to vote under § 12-4-1 is not open to public inspection. The Unified Judicial System shall provide a list of judicial officers to the secretary of state.

Section 5. That chapter 12-9 be amended with a NEW SECTION:

Any personally identifiable information filed pursuant to this chapter with the Office of the Secretary of State by or on behalf of any candidate for the office of judge of the circuit court or a justice of the Supreme Court subject to a retention election is not open to public inspection. For purposes of this section, the term, personally identifiable information, means any home address, home or personal telephone number, or personal email address. The county of residence of the candidate for the office of judge or justice subject to a retention election is a public record.

Section 6. That § 12-25-31 be AMENDED:

12-25-31. The secretary of state shall prescribe and provide forms for the reporting of close economic interest. The value of a close economic interest need not be reported. Each individual filing a statement of financial interest shall subscribe to an oath or affirmation verifying the contents of such statement. All statements of financial interest shall be open to public inspection, except pursuant to section 7 of this Act.

Section 7. That chapter 12-25 be amended with a NEW SECTION:

Any personally identifiable information contained in a statement of financial interest filed pursuant to this chapter by a candidate for circuit court judge or Supreme Court justice subject to a retention election is not open to public inspection. For purposes of this section, the term, personally identifiable information, means any home address, home or personal telephone number, or personal email address. The county of residence for the candidate for the office of judge or justice subject to a retention election is a public record.

Section 8. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to provide for the security and privacy of certain personally identifiable information for judicial officers and to declare an emergency.

I certify that the attached Act originated in
the:
House as Bill No. 1106

Received at this Executive Office
this ____ day of _____,
2022 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2022

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2022
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1106
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State