

## 2022 South Dakota Legislature

**Senate Bill 185****AMENDMENT 185A FOR THE INTRODUCED BILL**

1 **An Act to revise certain provisions regarding voter registration records.**

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

3 **Section 1. That § 12-4-18 be AMENDED:**

4 **12-4-18.** The clerk of courts ~~shall~~ must, within fifteen days after the close of each  
5 month, prepare and deliver to the auditor an abstract from the records of the names of  
6 persons declared mentally incompetent in the preceding month. The notice ~~shall~~ must be  
7 sent to the county auditor of the county in which the person declared incompetent ~~resides~~  
8 is registered to vote. Each county coroner shall prepare and deliver to the auditor a list of  
9 the names of persons declared deceased in the preceding month. The county auditor ~~shall~~  
10 must remove from the master registration ~~list the file~~:

11 (1) The names of persons identified as mentally incompetent, in accordance with the  
12 information provided pursuant to this section; ~~and~~

13 (2) The names of those persons sentenced to imprisonment in the federal penitentiary  
14 system and may remove; ~~and~~

15 (3) The names published in an obituary of deceased persons, in accordance with the  
16 information provided pursuant to this section.

17 Voter registration records maintained in or transmitted to the statewide voter  
18 registration file ~~shall~~ must be matched with the death records maintained as vital statistics  
19 records by the Department of Health and the records of felony convictions maintained by  
20 the Unified Judicial System. Any voter identified as deceased or who is serving a sentence  
21 for a felony conviction ~~shall~~ must be removed from the voter registration records.

22 State officials shall supplement data from state vital statistics agencies on  
23 deceased registrants with information from the Social Security Death Index, the Social  
24 Security Administration's Master Death File, or independent audits of the voter registration  
25 file by commercial groups that identify deceased individuals as part of their businesses.

1       All state court clerks must forward to the appropriate election official in their county  
2       information on any individual called for jury duty who is excused from jury duty because  
3       the individual has moved, is a convicted felon, is deceased, or is not a U.S. citizen. Upon  
4       the receipt of such information, election officials must investigate to determine the  
5       eligibility of that individual to remain registered.

6       The State Board of Elections ~~may~~ shall promulgate rules, pursuant to chapter 1-26  
7       and in compliance with federal law, determining how voter registration records shall be  
8       matched pursuant to this section.