



## 2023 South Dakota Legislature

# House Bill 1112

Introduced by: **Representative** Venhuizen

1 **An Act to modify provisions for a statewide runoff election.**

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

3 **Section 1. That § 12-6-51.1 be AMENDED:**

4 **12-6-51.1.** If no candidate for United States Senate, United States House of  
 5 Representatives, or Governor in a race involving three or more candidates receives thirty-  
 6 five percent of the votes of the candidate's party, a runoff election shall be held ~~ten~~ six  
 7 weeks from the date of the first primary election. At the runoff election the only persons  
 8 voted for ~~shall~~ may be the two candidates receiving the highest number of votes at the  
 9 first election. ~~However, if~~ If there is a tie for second place in the first primary election and  
 10 there is no tie for first place, all tying second place candidates ~~shall~~ must be placed along  
 11 with the first place candidate on the ballot for the runoff election. The runoff election ~~shall~~  
 12 must be held ~~at the same polling places, be conducted, returned, and canvassed and the~~  
 13 ~~results declared in the same manner as the first election. However, if the runoff election~~  
 14 ~~does not have a federal race, the electronic ballot marking system is not required, and~~  
 15 ~~hand counted ballots may be used.~~ The person receiving the highest number of votes at  
 16 the runoff election is nominated as the candidate for the party.