2023 South Dakota Legislature

House Bill 1112

Introduced by: ***Representative*** *Venhuizen*

An Act to modify provisions for a statewide runoff election.

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

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

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