

## 2023 South Dakota Legislature

**House Bill 1112****AMENDMENT 1112D  
FOR THE INTRODUCED BILL**

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 eight weeks from the date of the first primary election. At the runoff election the only  
8 persons voted for ~~shall~~ may be the two candidates receiving the highest number of votes  
9 at the first election. ~~However, if~~ If there is a tie for second place in the first primary election  
10 and there is no tie for first place, all tying second place candidates ~~shall~~ must be placed  
11 along with the first place candidate on the ballot for the runoff election. The runoff election  
12 ~~shall~~ must be held ~~at the same polling places, be conducted, returned, and canvassed and~~  
13 ~~the results declared~~ in the same manner as the first election. ~~However, if the runoff~~  
14 ~~election does not have a federal race, the electronic ballot marking system is not required,~~  
15 ~~and hand counted ballots may be used.~~ The person receiving the highest number of votes  
16 at the runoff election is nominated as the candidate for the party.