

## 2023 South Dakota Legislature

**House Bill 1104****AMENDMENT 1104A  
FOR THE INTRODUCED BILL**

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

1 **An Act to require written consent ~~for a third party to transmit a completed voter~~**  
2 **~~registration form~~ to register an individual to vote.**

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

4 **Section 1. That chapter 12-4 be amended with a NEW SECTION:**

5 No agency, department, state or local government employee or contractor of a  
6 state or local government shall automatically register to vote any eligible individual  
7 without first obtaining that individual's explicit, written consent to be registered to vote  
8 and that individual's completed state or federal voter registration form, as appropriate.

9 **Section 2. That § 12-4-2 be AMENDED:**

10 **12-4-2.** The county auditor has complete charge of maintaining and safeguarding  
11 the voter registration records in the county. The county auditor shall retain all voter  
12 registration records in the auditor's office in paper or electronic form. All such records  
13 shall be open to public inspection at all times during office hours, except pursuant to  
14 §§ 12-4-9 and 12-4-9.3.

15 Voter registration shall be conducted by each county auditor and municipal finance  
16 officer. Any agency, department, state or local government employee or contractor of a  
17 state or local government shall deliver by certified or registered mail, with a return receipt  
18 requested, any collected voter registration forms to the auditor of the county such person  
19 is registered. Voter registration shall be available at the secretary of state's office and at  
20 those locations which provide driver licenses; food stamps; temporary assistance for  
21 needy families; women, infants, and children nutrition program; medicaid; military  
22 recruitment; and assistance to the disabled as provided by the Department of Human  
23 Services. A violation of this section is a Class 2 misdemeanor.

1

AMENDMENT