



2023 South Dakota Legislature

House Bill 1112

HOUSE STATE AFFAIRS ENGROSSED

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~~ eight
 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.