

2023 South Dakota Legislature

House Bill 1112**AMENDMENT 1112E
FOR THE HOUSE STATE AFFAIRS ENGROSSED 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~~ eight
7 weeks from the date of the first primary election. At the runoff election the only persons
8 voted for ~~shall~~ may shall be the two candidates receiving the highest number of votes at
9 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.