



## 2023 South Dakota Legislature

# House Bill 1112

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