

## 2023 South Dakota Legislature

**House Bill 1148****AMENDMENT 1148A  
FOR THE INTRODUCED BILL**

1 **An Act to clarify registration and residence requirements for voting at a township**  
2 **meeting.**

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

4 **Section 1. That § 8-3-7 be AMENDED:**

5 **8-3-7.** No person may vote at any township meeting unless the person is  
6 registered to vote in the township pursuant to chapter 12-4 and resides in ~~the~~ that  
7 township. For the purposes of this section, a person resides in the township if the person  
8 actually lives in the township for at least thirty consecutive days each year, is a full-time  
9 postsecondary education student who resided in the township immediately prior to leaving  
10 for the postsecondary education, or is on active duty as a member of the armed forces  
11 whose home of record is within the township. A voter's qualification as a resident may be  
12 challenged in the manner provided in § 12-18-10. No election may be contested on the  
13 grounds that any nonresident was allowed to vote if the nonresident was not challenged  
14 in the manner provided in § 12-18-10.

15 **Section 2. That § 8-3-9 be AMENDED:**

16 **8-3-9.** If any person is challenged as being unqualified when offering to vote at  
17 any township election or upon any question arising at any township meeting ~~is challenged~~  
18 ~~as unqualified~~ relating to a person's residency, the judges, or township clerk, if no judges  
19 are present, shall proceed thereupon in like manner as the judges at the general election  
20 are required to proceed, adapting the oath to the circumstances of the township meeting  
21 must have the person sign an affidavit attesting to the person's residency and qualification  
22 to vote. A person who makes a false affirmation is guilty of a Class 2 misdemeanor  
23 pursuant to § 8-3-8.