



2023 South Dakota Legislature

House Bill 1148

HOUSE ENGROSSED

Introduced by: **Representative Chase**

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.