



2023 South Dakota Legislature
House Bill 1114
ENROLLED

AN ACT

ENTITLED An Act to revise the qualifications to be a member of a county recount board.

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

Section 1. That § 12-21-2 be AMENDED:

12-21-2. The county recount board of each county which conducts a recount authorized by this chapter shall be appointed by the presiding judge of the circuit court for that county.

At a general election, a judicial primary election, or an election for a referred or submitted question, the recount board shall consist of a recount referee who is a duly qualified member of the State Bar of South Dakota and a member of the political party that received the greatest number of votes in the county in the race for Governor in the last gubernatorial election, and two voters of the county representing the two political parties with the largest registration in the county.

In a non-judicial primary election or runoff election pursuant to § 12-6-51.1, the recount board must consist of members of the same political party as the candidates in the contest being recounted. The recount board must consist of a recount referee who is a duly qualified member of the state bar and two voters of the county.

An individual may not serve on the recount board if the individual is a candidate for the office that is the subject of the recount, or is the husband, wife, father, mother, father-in-law, mother-in-law, son, daughter, son-in-law, daughter-in-law, brother, or sister, whether by birth or marriage, of the whole or the half-blood, of any candidate involved in the recount.

Prior to serving, each member of the recount board shall take an oath that the member will act in good faith, with impartiality, and that the member meets the qualifications to serve as a member of the county recount board. The State Board of

Elections shall promulgate rules, pursuant to chapter 1-26, that prescribe the oath to be taken under this section.

An Act to revise the qualifications to be a member of a county recount board.

I certify that the attached Act originated in
the:
House as Bill No. 1114

Received at this Executive Office
this ____ day of _____,
2023 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2023

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2023
at _____ o'clock ___ M.

Secretary of the Senate

Secretary of State

House Bill No. 1114
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State