



2024 South Dakota Legislature

Senate Bill 13

Introduced by: **Senator Mehlhaff**

1 **An Act to revise the process for nominating candidates for lieutenant governor.**

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

3 **Section 1. That chapter 12-5 be amended with a NEW SECTION:**

4 A candidate for Governor shall nominate a candidate for lieutenant governor and
 5 shall certify the nomination to the secretary of state no later than 5:00 p.m. central time
 6 on the second Tuesday in August in the year of the election. The candidate for Governor
 7 and the candidate's nominee for lieutenant governor shall sign the certification. The State
 8 Board of Elections shall promulgate rules, pursuant to chapter 1-26, to prescribe the form
 9 for the certification of a candidate for lieutenant governor.

10 A candidate for lieutenant governor may withdraw the nomination by filing a
 11 request under oath with the secretary of state. If a candidate for lieutenant governor
 12 withdraws, the candidate for Governor must nominate a replacement and certify the
 13 nomination to the secretary of state pursuant to this section. The secretary of state may
 14 not place the name of the candidate for Governor on the general election ballot until a
 15 candidate for lieutenant governor has been certified.

16 **Section 2. That § 12-5-21 be AMENDED:**

17 **12-5-21.** TheIn a year when the Governor is to be elected, the delegates selected
 18 to participate in the state convention shall nominate candidates for~~lieutenant governor,~~
 19 attorney general, secretary of state, state auditor, state treasurer, commissioner of school
 20 and public lands, and public utilities commissioner~~and in.~~ In the years when a President
 21 of the United States is to be elected, the delegates shall nominate a candidate for public
 22 utilities commissioner, presidential electors, and national committeeman and national
 23 committeewoman of the party.

24 **Section 3. That § 12-7-1.2 be AMENDED:**

1 **12-7-1.2.** An independent candidate for Governor shall ~~certify the candidate's~~
2 ~~selection~~ nominate a candidate for lieutenant governor and shall certify the nomination to
3 the secretary of state ~~with the candidate's nominating petition~~ no later than 5:00 p.m.
4 central time on the second Tuesday in August in the year of election. The candidate and
5 the candidate's ~~selection~~ nominee for lieutenant governor shall sign the certification ~~before~~
6 ~~the nominating petitions are circulated.~~

7 ~~If an~~An independent candidate for lieutenant governor ~~withdraws, no~~ may
8 withdraw by filing a request under oath with the secretary of state. ~~If an independent~~
9 ~~candidate for lieutenant governor withdraws, the~~ independent candidate for Governor ~~may~~
10 ~~have the candidate's name printed upon a ballot unless~~ must nominate a replacement
11 ~~selection~~candidate for lieutenant governor ~~is certified~~ and certify the nomination to the
12 secretary of state ~~by the second Tuesday in August pursuant to this section.~~ The secretary
13 of state may not place the name of the candidate for Governor on the general election
14 ballot until a candidate for lieutenant governor has been certified.

15 The State Board of Elections shall promulgate rules, pursuant to chapter 1-26,
16 prescribing the forms for the certification for lieutenant governor.