



## 2024 South Dakota Legislature

# Senate Bill 99

HOUSE STATE AFFAIRS ENGROSSED

Introduced by: **Senator Duhamel**

1 **An Act to modify provisions pertaining to applying for an absentee ballot application**  
 2 **and to declare an emergency.**

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

4 **Section 1. That § 12-19-2.1 be AMENDED:**

5 **12-19-2.1.** At ~~anytime~~ any time prior to an election, a voter may apply for an  
 6 absentee ballot in person at the office of and to the person in charge of the election ~~for an~~  
 7 ~~absentee ballot~~ during regular office hours ~~up to 5:00~~ or until five p.m. on the day before  
 8 the election, whichever is later. If the voter applies in person, the voter ~~shall~~ must  
 9 complete a combined absentee ballot application/return envelope and show the person in  
 10 charge of the election the voter's identification card as required in § 12-18-6.1 or complete  
 11 the affidavit as provided in § 12-18-6.2.

12 In the event of confinement because of sickness or disability, a qualified voter may  
 13 apply in writing pursuant to the provisions of § 12-19-2 ~~in writing~~ and obtain an absentee  
 14 ballot by authorized messenger ~~so~~ designated over the signature of the voter. The person  
 15 in charge of the election ~~may deliver~~ shall provide the ballot to be delivered to the qualified  
 16 voter to the authorized messenger ~~a ballot to be delivered to the qualified voter. Any. An~~  
 17 ~~application for~~ to have a ballot delivered by authorized messenger must be received by  
 18 the person in charge of the election before ~~3:00~~ three p.m. on the day of the election. If  
 19 the application designating an authorized messenger also indicates a request for an  
 20 absentee ballot for any future election, ~~such~~ the absentee ballot ~~shall~~ must be mailed to  
 21 the address provided on the application. If no address is provided, the ballot ~~shall~~ must  
 22 be mailed to the person's voter registration address.

23 **Section 2.** Whereas, this Act is necessary for the immediate preservation of the public peace,  
 24 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force  
 25 and effect from and after its passage and approval.