

## 2025 South Dakota Legislature

**Senate Bill 22****AMENDMENT 22B  
FOR THE INTRODUCED BILL**

1 **An Act to modify provisions pertaining to the submission of a nominating petition.**

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

3 **Section 1. That § 9-13-7 be AMENDED:**

4 **9-13-7.** No candidate for elective municipal office may be nominated unless a  
5 nominating petition is filed with the finance officer no later than five p.m. on the last Friday  
6 in February preceding the day of election. ~~The petition shall be considered filed if it is~~  
7 ~~mailed by registered mail by five p.m. on the last Friday in February before the election.~~  
8 ~~The petition shall contain the name, residence address, and mailing address of the~~  
9 ~~candidate and the office for which the candidate is nominated and shall~~ The petition must  
10 be on the form prescribed by the State Board of Elections. The signer's, and must contain:

- 11 (1) The name of the candidate;  
12 (2) The candidate's residential address;  
13 (3) The candidate's mailing address, if applicable; and  
14 (4) The office for which the candidate is to be nominated.

15 \_\_\_\_\_ If an individual who signs a petition lives within a second-class or third-class  
16 municipality, the individual may give the individual's post office box number may be given  
17 in lieu of a street address if the signer lives within a municipality of the second or third  
18 class.

19 The finance officer may only accept a nominating petitions that are petition that is  
20 on the prescribed form and were was circulated and submitted pursuant to the provisions  
21 in chapters 9-13 of this chapter and chapter 12-6. Upon verification signed by the  
22 municipal finance officer or clerk The municipal finance officer or clerk shall verify by  
23 signature that the nominating petition contains the minimum number of signatures of  
24 registered voters within either the municipality or ward, or both, and that the candidate  
25 is a registered voter within either the municipality or ward, or both. Upon verification by

1 the municipal finance officer or clerk, the filing of ~~the~~ a nominating petition constitutes  
 2 nomination.

3 **Section 2. That § 12-6-4 be AMENDED:**

4 **12-6-4.** Except as provided by § 12-5-4 and as may be otherwise provided in  
 5 chapter 12-9, no candidate for any office to be filled, or nomination to be made, at either  
 6 or both the primary or general election, other than a presidential election, may have that  
 7 ~~person's~~ candidate's name printed upon the official primary election ballot of that ~~person's~~  
 8 candidate's party, unless a petition has been filed on ~~that person's~~ behalf of the candidate  
 9 after December ~~thirty-first~~ first and by the ~~last~~ third Tuesday of March at five p.m. local  
 10 time before the date of the primary election. ~~If the petition is mailed by registered mail~~  
 11 ~~by the last Tuesday of March at five p.m. local time before the primary election, the~~  
 12 ~~petition shall be considered timely submitted.~~

13 A nominating petition for national convention delegates and alternates as provided  
 14 in § 12-5-3.11 ~~shall~~ must be filed in accordance with the provisions of this section.  
 15 ~~Nominating petitions for all party and public offices~~ A nominating petition for any party or  
 16 public office, except legislative and judicial offices ~~shall~~ must be filed ~~in the office of~~ with  
 17 the county auditor of the county in which the person is a candidate. ~~Nominating petitions~~  
 18 A nominating petition for any legislative ~~and or~~ judicial office ~~whether elected in one or~~  
 19 ~~more counties, and all other party and public offices to be, or any other public or party~~  
 20 office that is voted on in more than one county ~~shall be filed in the Office of the Secretary~~  
 21 of State, must be filed with the secretary of state.

22 **Section 3. That § 12-6-8.1 be AMENDED:**

23 **12-6-8.1.** Any ~~person~~ candidate may ~~have his or her name withdrawn~~ withdraw  
 24 the candidate's name from the primary election by making a written request under oath.  
 25 ~~The request shall be filed~~ candidate shall file the request with the officer with whom the  
 26 nominating petition was filed pursuant to § 12-6-4, not later than two days after the ~~last~~  
 27 third Tuesday in March at five ~~p.m.~~ p.m. local time. If the request is mailed by registered  
 28 mail not later than two days after the ~~last~~ third Tuesday in March at five p.m. local time,  
 29 the request is properly filed. ~~No~~ A name ~~that is~~ withdrawn pursuant to this section may  
 30 not be printed on the ballots to be used at the election.