



2025 South Dakota Legislature

House Bill 1164

Introduced by: **Representative** Goodwin

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 § 12-5-21 be AMENDED:**

4 **12-5-21.** ~~The~~ In a year when the Governor is to be elected, the delegates selected
 5 to participate in the state convention shall nominate candidates for lieutenant governor,
 6 attorney general, secretary of state, state auditor, state treasurer, commissioner of school
 7 and public lands, and public utilities commissioner ~~and in.~~ In the years when a President
 8 of the United States is to be elected, the delegates shall nominate a candidate for public
 9 utilities commissioner, presidential electors, and national committeeman and national
 10 committeewoman of the party.

11 **Section 2. That chapter 12-5 be amended with a NEW SECTION:**

12 A candidate for Governor shall nominate a candidate for lieutenant governor by
 13 certifying the nomination to the secretary of state no later than five p.m. central time on
 14 the second Tuesday in August in the year of the election. The candidate for Governor and
 15 the candidate's nominee for lieutenant governor shall sign the certification.

16 A candidate for lieutenant governor may withdraw from the nomination by filing a
 17 request under oath with the secretary of state. If a candidate for lieutenant governor
 18 withdraws, the candidate for Governor must nominate a replacement by certifying the
 19 nomination to the secretary of state no later than five p.m. central time on the second
 20 Tuesday in August in the year of the election. The candidate for Governor and the
 21 candidate's replacement nominee for lieutenant governor shall sign the certification.

22 The secretary of state may not place the name of the candidate for Governor on
 23 the general election ballot until a candidate for lieutenant governor has been certified.

1 The State Board of Elections shall promulgate rules, pursuant to chapter 1-26,
2 prescribing the forms of the certification and withdrawal of a candidate for lieutenant
3 governor.

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

5 ~~**12-7-1.2.** An independent candidate for Governor shall certify the candidate's~~
6 ~~selection~~ nominate a candidate for lieutenant governor by certifying the nomination to the
7 ~~secretary of state with the candidate's nominating petition~~ no later than five p.m. central
8 ~~time on the second Tuesday in August in the year of election.~~ The candidate and the
9 ~~candidate's selection nominee~~ for lieutenant governor shall sign the certification before
10 ~~the nominating petitions are circulated. If an~~ independent candidate for lieutenant governor
11 ~~withdraws, no~~ may withdraw

12 from the nomination by filing a request under oath with the secretary of state. If an
13 ~~independent candidate for lieutenant governor withdraws, the~~ independent candidate for
14 ~~Governor may have the candidate's name printed upon a ballot unless~~ must nominate a
15 ~~replacement selection candidate~~ for lieutenant governor is certified by certifying the
16 ~~nomination to the secretary of state by the second Tuesday in August. The State Board of~~
17 ~~Elections shall promulgate rules, pursuant to chapter 1-26, prescribing the forms for the~~
18 ~~certification for lieutenant governor~~ no later than five p.m. central time on the second
19 ~~Tuesday in August in the year of the election. The independent candidate for Governor~~
20 ~~and the candidate's replacement nominee for lieutenant governor shall sign the~~
21 ~~certification.~~ certification.

22 The secretary of state may not place the name of the candidate for Governor on
23 the general election ballot until a candidate for lieutenant governor has been certified.