



## 2025 South Dakota Legislature

# House Bill 1220

Introduced by: **Representative Baxter**

1 **An Act to amend provisions pertaining to the verification of registered voters**  
 2 **contained in the master registration file.**

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

4 **Section 1. That a NEW SECTION be added to chapter 12-4:**

5 An individual who is a family member of a registered voter may submit to the  
 6 auditor of the county in which the voter is registered, an affidavit stating that the voter is  
 7 deceased.

8 If a family member submits an affidavit pursuant to this section, the statement  
 9 must include the name of the registered voter, the name of the family member reporting  
 10 the death, the relationship of the family member to the registered voter, and sufficient  
 11 information to identify the registered voter in the county master registration file. Upon  
 12 receipt of the affidavit, the county auditor shall cancel the voter's registration and remove  
 13 the voter from the county master registration file.

14 **Section 2. That § 12-4-19 be AMENDED:**

15 ~~**12-4-19.** Any voter in the active registration file who has failed to vote, has not~~  
 16 ~~updated the voter's registration information, and has not replied to a confirmation mailing~~  
 17 ~~at least once during the last preceding four consecutive years shall be sent a~~  
 18 ~~nonforwardable return if undeliverable address verification request~~

19 The county auditor must send a nonforwardable, return-if-undeliverable address  
 20 verification request to a voter in the active registration file if:

21 (1) The voter has not, at least once during the last preceding four consecutive years:

22 (a) Voted;

23 (b) Updated the voter's registration information; or

24 (c) Replied to a confirmation mailing; or

1 (2) The auditor receives an affidavit from one of the following attesting that the  
 2 registered voter is no longer a resident of the precinct in which the voter is  
 3 registered:

4 (a) A family member of the voter;

5 (b) The rental manager of a campground, residential rental unit, or private mail  
 6 box;

7 (c) The county sheriff; or

8 (d) The clerk of the circuit court.

9 An affidavit provided pursuant to subdivision (2), must provide sufficient  
 10 information to identify the registered voter in the county master registration file and a  
 11 statement as to the source and nature of the information upon which the affidavit is  
 12 submitted. The Board of Elections shall prescribe the form of the affidavit.

13 The auditor shall send the address verification request to a voter who meets the  
 14 description set forth in subdivision (1) from January first to November fifteenth, inclusive,  
 15 of each odd-numbered year. If the auditor receives an affidavit, pursuant to subdivision  
 16 (2), the auditor must send the address verification request within two days of receiving  
 17 the affidavit.

18 ~~If the an address verification request is undeliverable then or is not returned to the~~  
 19 ~~county auditor within thirty days,~~ a confirmation mailing prescribed by the State Board of  
 20 Elections ~~shall~~ must be sent. If a county auditor has determined through a national change  
 21 of address licensee of the United States Postal Service that the address of a voter who is  
 22 to be sent an address verification request has changed, the confirmation mailing may be  
 23 omitted. ~~This process shall be performed by each county auditor from January first to~~  
 24 ~~November fifteenth, inclusive, of each odd-numbered year.~~

25 **Section 3. That § 12-4-19.2 be AMENDED:**

26 **12-4-19.2.** ~~If the card~~ confirmation mailing sent to a registered voter pursuant to  
 27 § 12-4-19, is not returned to the county auditor within the ~~stated~~ time limit provided in §  
 28 12-4-19.1 or is returned as undeliverable, the county auditor shall move the voter to an  
 29 inactive registration file.