



2025 South Dakota Legislature

House Bill 1220

HOUSE STATE AFFAIRS ENGROSSED

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

8 If an immediate family member submits an affidavit pursuant to this section, the
 9 statement must include the name of the registered voter, the name of the immediate
 10 family member reporting the death, the relationship of the immediate family member to
 11 the registered voter, and sufficient information to identify the registered voter in the
 12 county master registration file. Upon receipt of the affidavit, the county auditor shall cancel
 13 the voter's registration and remove 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 manager of a campground, residential rental unit, or private mail box;

6 (c) The county sheriff; or

7 (d) The clerk of the circuit court.

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

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

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

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

25 **12-4-19.2.** ~~If the card~~ confirmation mailing sent to a registered voter pursuant to
26 § 12-4-19, is not returned to the county auditor within the ~~stated~~ time limit provided in
27 § 12-4-19.1 or is returned as undeliverable, the county auditor shall move the voter to an
28 inactive registration file.