



2025 South Dakota Legislature

Senate Bill 89

ENROLLED

AN ACT

ENTITLED An Act to repeal the requirement that judicial officers be listed on a separate nonpolitical ballot.

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

Section 1. That § 12-16-1 be AMENDED:

12-16-1. The county auditor shall provide printed ballots for each election in which the voters of the entire county participate. Except as provided in § 12-6-9, printed ballots for a primary election must contain the name of each candidate who has filed for nomination and is approved. The printed ballots for the election of officers must contain the name of each candidate whose nomination has been certified or filed with the county auditor in the manner provided by law, unless the candidate is deemed elected by having no opposition. The names of the candidates must appear on the ballot exactly as listed in the declaration of candidacy of the candidates' nominating petitions.

Sample ballots must be printed on paper of a different color from the official ballot but in the same form. The sample ballots and official ballots must be printed and in the possession of the county auditor not later than forty-eight days prior to a primary or general election. If there is a challenge pursuant to § 12-1-13 or 12-1-16, official ballots may not be printed until the challenge has been resolved or until sixty days prior to the primary or general election, whichever occurs first.

The county auditor shall prepare the necessary ballots, if any question is required to be submitted to the voters of the county. Ballots for general elections must be of the style and form prescribed in §§ 12-16-2 to 12-16-10.1, inclusive.

Section 2. That § 12-16-11 be REPEALED.

An Act to repeal the requirement that judicial officers be listed on a separate nonpolitical ballot.

 I certify that the attached Act originated in
 the:
 Senate as Bill No. 89

 Received at this Executive Office
 this _____ day of _____,
 2025 at _____ M.

 Secretary of the Senate

By _____

 for the Governor

 President of the Senate

The attached Act is hereby
 approved this _____ day of
 _____, A.D., 2025

Attest:

 Secretary of the Senate

 Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

 Speaker of the House

Attest:

Filed _____, 2025
 at _____ o'clock ____ M.

 Chief Clerk

 Secretary of State

Senate Bill No. 89
 File No. _____
 Chapter No. _____

By _____

 Asst. Secretary of State