



2026 South Dakota Legislature

Senate Bill 31

Introduced by: The Chair of the Committee on State Affairs at the request of the Secretary of State

1 **An Act to permit the use of a confirmation letter to verify a voter's registration.**

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

3 **Section 1. That § 12-4-19.1 be AMENDED:**

4 **12-4-19.1.** ~~The confirmation mailing notice shall be a double postcard stating that~~
 5 ~~the voter's registration may be canceled if the card is not returned. In addition, the card~~
 6 ~~shall state that if~~ If the acknowledgement notice sent pursuant to § 12-4-5.3 is returned
 7 to the county auditor as undeliverable, the auditor must send a confirmation mailing letter
 8 or postcard that:

9 (1) States the voter's registration may be canceled if the letter or postcard is not
 10 returned;

11 (2) Lists the voter's information, as it appears in the master registration file; and

12 (3) Provides the following instructions:

13 (a) If the information on the ~~return~~ letter or card is correct, the voter must sign
 14 and return the letter or card within thirty days of the date of the postmark
 15 on the letter or card, or the voter's registration will become inactive. ~~The~~
 16 ~~card shall also state that if;~~

17 (b) If the information on the ~~return~~ letter or card is not correct, the voter shall
 18 must send the correct information to update the voter's registration, within
 19 thirty days of the date of the postmark on the letter or card, or the voter's
 20 registration will become inactive; and

21 (c) If the letter or card is returned indicating a new address in another county
 22 in South Dakota or another state, the card ~~shall serve~~ serves as a
 23 cancellation authorization.

24 ~~The card shall also give information on reregistering if the voter has moved to~~
 25 ~~another county or state. The card shall give the information about the voter as it appears~~
 26 ~~in the registration records.~~

Section 2. That § 12-4-19.2 be AMENDED:

12-4-19.2. ~~If the card is not returned to the county auditor within the stated time limit or is undeliverable, the~~ The county auditor ~~shall~~ must move the voter to an inactive registration file if:

(1) The voter does not return the confirmation mailing by the deadline stated on the mailing; or

(2) The confirmation mailing is returned to the auditor as undeliverable.

Section 3. That § 12-4-19.7 be AMENDED:

12-4-19.7. ~~The voter registration list maintenance confirmation mailing notice shall be a double postcard stating that the voter's registration may be canceled if the card is not returned. In addition, the card shall state that if~~ If the address verification request sent pursuant to § 12-4-19 is returned to the county auditor as undeliverable, the auditor must send a voter registration list maintenance confirmation mailing letter or postcard that:

(1) States the voter's registration may be canceled if the letter or postcard is not returned;

(2) Lists the voter's information, as it appears in the master registration file; and

(3) Provides the following instructions:

(a) If the information on the ~~return letter or~~ card is correct, the voter shall must sign and return the letter or ~~card~~ by the voter registration deadline of the primary election or the voter's registration ~~becomes~~ will become ~~inactive.~~ ~~The card shall also state that if:~~

(b) If the information on the ~~return letter or~~ card is not correct, the voter shall must send the correct information to update the voter's registration by the voter registration deadline of the primary election or the voter's registration ~~becomes~~ will become ~~inactive.; and~~

(c) If the card is returned indicating a new address in another county in South Dakota or another state, the card ~~shall serve~~ serves as a cancellation authorization.

~~The card shall also give information on reregistering if the voter has moved to another county or state. The card shall give the information about the voter as the information appears in the registration records.~~

Section 4. This Act is effective beginning December 1, 2026.