



## 2026 South Dakota Legislature

# House Bill 1110

Introduced by: **Representative** Reimer

1 **An Act to amend provisions relating to an individual's status as a voter for municipal**  
 2 **or school district elections.**

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

4 **Section 1. That § 9-13-4.1 be AMENDED:**

5 **9-13-4.1.** No ~~person~~ individual may vote at ~~any~~ a municipal election unless the  
 6 ~~person~~ individual is registered ~~to vote as a voter of the municipality,~~ pursuant to chapter  
 7 12-4 ~~and resides in,~~ and is a resident of the municipality at the time of the election.

8 For ~~the purposes of this section,~~ a person resides in an individual is a resident of  
 9 the municipality if the ~~person actually lives~~ individual:

10 (1) Became a resident of the municipality, as defined in § 12-1-4, and continues to  
 11 live in the municipality for at least thirty consecutive days each year, ~~is;~~

12 (2) Is a full-time postsecondary education student who ~~resided in~~ was a resident of the  
 13 municipality, as defined in § 12-1-4, immediately prior to leaving for the  
 14 postsecondary education, ~~or is;~~ or

15 (3) Is on active duty as a member of the armed forces ~~whose~~ and the individual's home  
 16 of record is within the municipality. ~~A voter's~~

17 An individual's qualification as a resident may be challenged only in the manner  
 18 provided in ~~§ 12-18-10. No §§ 12-4-59 to 12-4-63, inclusive. An~~ election may not be  
 19 contested on the grounds that ~~any nonresident~~ an individual who is not a resident of the  
 20 municipality was allowed to vote if the ~~nonresident was~~ individual's qualifications were not  
 21 challenged in the manner provided in ~~§ 12-18-10 §§ 12-4-59 to 12-4-63, inclusive.~~

22 **Section 2. That § 13-7-4.2 be AMENDED:**

23 **13-7-4.2.** No ~~person~~ individual may vote at ~~any~~ a school district election unless  
 24 the ~~person~~ individual is registered ~~to vote as a voter in the school district,~~ pursuant to

1 chapter 12-4 ~~and resides in,~~ and is a resident of the school district at the time of the  
2 election.

3 For ~~the~~ purposes of this section, ~~a person resides in~~ an individual is a resident of  
4 the school district if the ~~person actually lives~~ individual:

5 (1) Became a resident of the school district, as defined in § 12-1-4, and continues to  
6 live in the school district for at least thirty consecutive days each year, ~~is;~~

7 (2) Is a full-time postsecondary education student who ~~resided in~~ was a resident of the  
8 school district, as defined in § 12-1-4, immediately prior to leaving for the  
9 postsecondary education, ~~or is;~~ or

10 (3) Is on active duty as a member of the armed forces ~~whose~~ and the individual's home  
11 of record is within the school district. ~~A voter's~~

12 An individual's qualification as a resident may be challenged only in the manner  
13 provided in ~~§ 12-18-10. No~~ §§ 12-4-59 to 12-4-63, inclusive. An election may not be  
14 contested on the grounds that ~~any nonresident~~ an individual who is not a resident of the  
15 school district was allowed to vote if the ~~nonresident was~~ individual's qualifications were  
16 not challenged in the manner provided in ~~§ 12-18-10~~ §§ 12-4-59 to 12-4-63, inclusive.

17 **Section 3.** This Act is effective beginning December 1, 2026.