



2026 South Dakota Legislature

Senate Bill 32

SENATE STATE AFFAIRS ENGROSSED

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

1 **An Act to amend and repeal provisions pertaining to the ballot requirements for**
 2 **certain elections and to declare an emergency.**

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

4 **Section 1. That § 12-5-8 be AMENDED:**

5 ~~12-5-8. At the time of printing the official primary election ballots, the county~~
 6 ~~auditor shall also have printed in like number, and for each political party, separate ballots~~
 7 ~~upon which party voters may vote for precinct committeeman and for precinct~~
 8 ~~committeewoman of their political party. These ballots shall be furnished to any election~~
 9 ~~precinct having a contest for such position at the same time with the other election~~
 10 ~~supplies. The form of these ballots shall be prescribed by the State Board of Elections.~~

11 The county auditor shall include on the official ballot for a primary election the
 12 name of each candidate for precinct committeeman or precinct committeewoman, in the
 13 manner prescribed by the State Board of Elections.

14 **Section 2. That § 12-9-12 be AMENDED:**

15 ~~12-9-12. At all primary elections at which candidates for judicial office are to be~~
 16 ~~nominated and a primary is required there shall be prepared and furnished by the several~~
 17 ~~county auditors, separate ballots upon which shall be placed the names of the candidates~~
 18 ~~for such offices, which ballots shall be entitled "nonpolitical judiciary ballot" and shall~~
 19 ~~contain no other designation. The names of all candidates shall be placed thereon without~~
 20 ~~any party designation in the order designated by the secretary of state.~~

21 In a primary election at which candidates for judicial office are to be nominated,
 22 the name of each candidate must be placed on the official primary election ballot, as
 23 prescribed by the State Board of Elections, in the order designated by the secretary of
 24 state, without any party designation.

1 **Section 3. That § 12-9-13 be REPEALED.**

2 ~~The form of the nonpolitical judiciary ballot shall be prescribed by the State Board~~
3 ~~of Elections.~~

4 **Section 4. That § 12-13-11 be REPEALED.**

5 ~~The title, explanation, recitation, place for voting, and statement as required by~~
6 ~~this chapter shall be printed on the ballot in lieu of the law, measure, constitutional~~
7 ~~amendment, or other question to be submitted to a vote of the people. All proposed~~
8 ~~constitutional amendments to be submitted at an election shall be placed on one ballot~~
9 ~~and all initiated measures or referred laws upon a separate ballot.~~

10 **Section 5.** Whereas, this Act is necessary for the immediate preservation of the public peace,
11 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force
12 and effect from and after its passage and approval.