



## 2026 South Dakota Legislature

# Senate Bill 214

Introduced by: **Senator Peterson (Sue)**

1 **An Act to amend provisions pertaining to the publication of the statewide voter**  
 2 **registration file.**

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

4 **Section 1. That § 12-4-37 be AMENDED:**

5 **12-4-37.** The secretary of state shall establish and maintain a computerized  
 6 system for maintaining and utilizing the voter registration file.

7 Each county auditor shall transmit daily any changes to the master registration file  
 8 or the absentee voter log to the secretary of state using the computerized system  
 9 maintained by the secretary of state.

10 The county auditor shall transmit updated information contained in the county  
 11 voter registration system, including voter registration information and voter election  
 12 history information, to the secretary of state not later than July fifteenth after each  
 13 primary election and December fifteenth after each general election.

14 The secretary of state shall ~~post a weekly update to the~~ complete statewide voter  
 15 registration file to the secretary's website. ~~The weekly update to the statewide voter~~  
 16 ~~registration file must be recorded each Monday by~~ before 11:59 p.m. and central time  
 17 each Monday. The weekly post of the statewide voter registration file must contain any  
 18 updates to the information in the county master registration file, pursuant to § 12-4-9.

19 **Section 2. That § 12-4-37.1 be AMENDED:**

20 **12-4-37.1.** The secretary of state shall establish and maintain a rolling five-year  
 21 historical archive of the complete statewide voter registration file, including the weekly  
 22 updates published by the secretary pursuant to ~~this section~~ § 12-4-37. The secretary shall  
 23 publish the rolling five-year historical archive to the secretary's website before 11:59 p.m.  
 24 central time each Monday.

1           The information contained in the historical archive of the statewide voter  
2 registration file must be made available free of charge.

3           An individual's social security number, driver license number, South Dakota  
4 nondriver identification number, and month and day of birth contained in the historical  
5 archive of the statewide voter registration file are not open to public inspection.

6 **Section 3. That § 12-4-41 be AMENDED:**

7           **12-4-41.** Any information obtained from the statewide voter registration file or  
8 any county voter registration file may not be sold, and may not be used for any commercial  
9 purpose, ~~and~~. Except as provided in §§ 12-4-37 and 12-4-37.1, information obtained from  
10 the statewide voter registration file may not be placed for unrestricted access on the  
11 internet.

12           For the purposes of this section, "commercial purpose" does not include campaign  
13 or political polling activities.

14           For the purposes of this section, "sold" does not include any fee charged by the  
15 secretary of state for a paper copy of a list of registered voters, as provided in § 12-4-39.

16           Any violation of this section is a Class 1 misdemeanor. In addition to any criminal  
17 sanctions, the court may impose a civil penalty not to exceed two thousand dollars for  
18 each violation. Any civil penalty collected pursuant to this section must be deposited in  
19 the general fund.