



## 2026 South Dakota Legislature

# House Bill 1316

Introduced by: **Representative Kayser**

1 **An Act to revise the time for conducting the canvass of an election.**

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

3 **Section 1. That § 12-20-36 be AMENDED:**

4 **12-20-36.** ~~Within six calendar days after the close of any election, the officer~~The  
 5 person in charge of the election, with the assistance of a majority of the governing board  
 6 as the canvassing board, shall make the canvass of votes at nine a.m. local time on the  
 7 first Tuesday following the election. Each member of the governing board may name and  
 8 have on file with the officer in charge of the election a person to represent the member at  
 9 the official canvass in the event of the member's absence for cause.

10 The person in charge of the election shall post the time and place of the canvass  
 11 to the secretary of state's website.

12 **Section 2. That § 12-20-47 be AMENDED:**

13 **12-20-47.** ~~Within seven days after the day of election, the~~The Board of State  
 14 Canvassers shall open and examine the returns from each county. ~~However, if~~at nine  
 15 a.m. central time on the second Tuesday following the election. ~~If~~ the returns from each  
 16 county have not been received, the board may adjourn, ~~not exceeding for a period of~~  
 17 time not to exceed ten days, for the purpose of obtaining the returns from each county.  
 18 The board shall proceed with the canvass after the returns have been received from each  
 19 county.