

2026 South Dakota Legislature

Senate Bill 214**AMENDMENT 214A
FOR THE INTRODUCED BILL**

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 post of the statewide voter registration file,~~ published by the secretary pursuant
23 ~~to this section § 12-4-37.~~ The secretary shall publish ~~and maintain~~ the rolling five-year
24 ~~historical archive~~ ~~to on~~ the secretary's website before 11:59 p.m. central time each
25 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.