



2026 South Dakota Legislature  
**Senate Bill 176**  
**ENROLLED**

AN ACT

**ENTITLED An Act to amend the period of time before which ballots and other election materials may be destroyed following an election.**

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

**Section 1. That a NEW SECTION be added to chapter 9-13:**

The returns from a municipal election must be certified by the precinct election board in each polling place, and the ballots, properly sealed in ballot boxes, together with the pollbooks, must be placed in the custody of the municipal finance officer.

The finance officer may destroy voted ballots, pollbooks, and all other election material relating to a municipal election twenty-two months after the election at which the ballots were voted.

**Section 2. That § 12-20-31 be AMENDED:**

**12-20-31.** The person in charge of an election may destroy voted ballots, pollbooks, and all other election material relating to a nonfederal election twenty-two months after the election at which the ballots were voted.

The person in charge of an election may destroy voted ballots, pollbooks and all other election material relating to a federal election twenty-two months after the election at which the ballots were voted.

For purposes of this section, a federal election is any election to nominate or elect persons to the United States Congress or other national elected position, including national issues or questions. If a ballot is used for a federal election and a state or local election, the ballots and all other election material must be maintained for twenty-two months. All federal election material may be removed from the ballot box if it is maintained in such a manner as to guarantee the safety and integrity of such material.

**Section 3. That § 13-7-17 be AMENDED:**

**13-7-17.** The returns from a school district election must be certified by the precinct election board in each polling place, and the ballots, properly sealed in ballot boxes, together with the pollbooks, must be placed in the custody of the school district's business manager.

The business manager may destroy voted ballots, pollbooks, and all other election material relating to a school district election twenty-two months after the election at which the ballots were voted.

An Act to amend the period of time before which ballots and other election materials may be destroyed following an election.

\_\_\_\_\_  
I certify that the attached Act originated in  
the:  
Senate as Bill No. 176

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_,  
2026 at \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of the Senate

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
President of the Senate

The attached Act is hereby  
approved this \_\_\_\_ day of  
\_\_\_\_\_, A.D., 2026

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
Speaker of the House

Attest:

Filed \_\_\_\_\_, 2026  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of State

Senate Bill No. 176  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State