

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

400X0210

HOUSE BILL NO. 1034

Introduced by: The Committee on Local Government at the request of the State Board of Elections

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning local government
2 elections.

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

4 Section 1. That § 6-16-4 be amended to read:

5 6-16-4. The county auditor shall publish the notice of the voter registration deadline at least
6 once each week for two consecutive weeks, the last publication to be not less than twenty-four
7 nor more than thirty days prior to the election. If the eligible voters are defined as landowners
8 only for the special district to be formed, the notice of the voter registration deadline does not
9 need to be published. The auditor shall publish ~~notices~~ each notice of election at least once each
10 week for two consecutive weeks, the last publication to be not less than four nor more than ten
11 days before the election in at least one legal newspaper of general circulation in the proposed
12 district.

13 Section 2. That § 7-1-69 be amended to read:

14 7-1-69. ~~Whenever~~ If not less than fifteen percent of the registered voters of any organized
15 county in this state, based upon the total number of registered voters at the last preceding



1 general election, shall on or before the first day of July in any general election year, file in the
 2 office of county auditor a petition requesting that the name of the county be changed ~~and~~
 3 ~~authorizing the county to appropriate and pay for all local government and state government~~
 4 ~~costs associated with changing the name of the county~~, the county auditor shall at the next
 5 regular general election; submit the question to the legal registered voters of the county on a
 6 separate printed ballot if using a hand counted paper ballot. The petition shall also authorize the
 7 county to appropriate and pay for all local government and state government costs associated
 8 with changing the name of the county. If the county uses an optical scan ballot, the question may
 9 be included on the general election ballot. The following question shall be submitted to the
 10 voters:

11 Shall the name of this county be changed to _____ and county funds be appropriated
 12 to pay for all local government and state government costs associated with the name change?
 13 Yes
 14 No

15 All voters in favor of changing the name of the county and paying for all the local
 16 government and state government costs associated with the name change shall place either a
 17 cross or check mark in the square before the word Yes on the ballot. All voters who do not favor
 18 changing the name of ~~such~~ the county and paying for all the local government and state
 19 government costs associated with the name change shall place either a cross or check mark in
 20 the square before the word No on the ballot. All local government and state government costs
 21 associated with changing the name of the county shall be paid by the county from county funds
 22 appropriated for that purpose before the change of the name of the county shall be effective.

23 Section 3. That § 9-13-21 be amended to read:

24 9-13-21. The finance officer shall prepare and furnish, at the expense of the municipality,

1 all official ballots. The quantity of ballots provided shall be at least ten percent more than the
2 number of voters at the last comparable election. The ballots shall be ~~white in color~~ prescribed
3 by the State Board of Elections, of good quality of print paper, printed in black ink, and in the
4 English language only.

5 The ballots for municipal elections shall be available for absentee voting no later than fifteen
6 days prior to election day. If the ballots are for a secondary election, the ballots shall be
7 available no later than seven days prior to the secondary election day. Absentee voting shall be
8 conducted pursuant chapter 12-19.

9 The names of the candidates for each office to be voted for in the precinct shall be arranged
10 without any other designation than that of the office for which they are candidates. If more than
11 one member of the governing body is to be elected, the ballot shall contain instructions as to
12 how many candidates for the governing body are to be voted for. The finance officer shall
13 determine, by lot, each candidate's position on the ballot. Each candidate may be present or
14 represented when the position on the ballot is being determined.

15 No candidate's name may be printed upon the official ballot unless the candidate has been
16 nominated as provided in this chapter.

17 Section 4. That § 13-7-13 be amended to read:

18 13-7-13. The business manager of the school district shall provide proper ballots, pollbooks,
19 voting booths, and necessary supplies as required by law to the proper election officials on
20 election day. The ballots shall be ~~similar in form to those authorized by law for municipal~~
21 ~~elections~~ as prescribed by the State Board of Elections. The quantity of ballots provided shall
22 be at least ten percent more than the number of voters at the last comparable election. No party
23 affiliation may appear on the ballot and the names of the candidates for the respective vacancies
24 shall be printed on the ballot. Each candidate's position on the ballot shall be chosen by lot by

1 the business manager and each candidate may be present or represented when the position on
2 the ballot is being determined. The ballots for school elections shall be available for absentee
3 voting no later than fifteen days prior to election day.