

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

481Z0660

SENATE BILL NO. 144

Introduced by: Senators Curd, Bolin, Ewing, Greenfield (Brock), Langer, Maher, Netherton, Novstrup, and Soholt and Representatives Peterson (Kent), Beal, DiSanto, Haugaard, Latterell, Qualm, and Rhoden

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to party affiliation on
2 voter registration cards.

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

4 Section 1. That § 12-1-3 be amended to read:

5 12-1-3. Terms used in this title mean:

6 (1) "Candidate," a person whose name is on the ballot or who is entitled to be on the
7 ballot to be voted upon for nomination or election at any election;

8 (2) "Election," any election held under the laws of this state;

9 (3) "Election officials," state and local officials charged with the duty of conducting
10 elections and the canvass of returns;

11 (4) "Elector," a person qualified to register as a voter, whether or not the person is
12 registered;

13 ~~(4A)~~(5) "Electronic pollbook," an electronic system containing both the registration list
14 and pollbook;



1 ~~(5)~~(6) "General election," the vote required to be taken in each voting precinct of the state
2 on the first Tuesday after the first Monday in November of each even-numbered year;

3 ~~(5A)~~(7) "Paid circulator," any person who receives money or anything of value for
4 collecting signatures for a petition;

5 ~~(6)~~(8) "Party office," an office of a political party organization as distinct from a public
6 office;

7 ~~(7)~~(9) "Person in charge of an election," or "person charged with the conduct of an
8 election," the county auditor in all cases except local elections for a municipality,
9 school district, township, or other political subdivision, in which case it is the officer
10 having the position comparable to the auditor in that unit of government if not
11 specifically designated by law;

12 ~~(8)~~(10) "Petition," a form prescribed by the State Board of Elections, which contains
13 the question or candidacy being petitioned, the declaration of candidacy if
14 required and the verification of the circulator. If multiple sheets of paper are
15 necessary to obtain the required number of signatures, each sheet shall be self-
16 contained and separately verified by the circulator;

17 ~~(9)~~(11) "Petition circulator," a resident of the State of South Dakota who is at least
18 eighteen years of age who circulates nominating petitions or other petitions for
19 the purpose of placing candidates or issues on any election ballot;

20 ~~(10)~~(12) "Political party," a party whose candidate for any statewide office at the last
21 preceding general election received at least two and one-half percent of the
22 total votes cast for that statewide office;

23 ~~(10A)~~(13) "Pollbook" or "poll list," a list containing in numerical order the names of all
24 persons voting at the election and type of ballot voted;

- 1 ~~(10B)~~(14) "Polling place," a designated place voters may go to vote;
- 2 ~~(11)~~(15) "Primary" or "primary election," an election held at which candidates are
3 nominated for public office;
- 4 ~~(12)~~(16) "Public office," an elected position in government;
- 5 ~~(12A)~~(17) "Registration list," a list of eligible voters;
- 6 ~~(13)~~(18) "Registered mail," does not include certified mail;
- 7 ~~(14)~~(19) "Registration officials," the county auditor and deputies and other persons
8 authorized to assist in registration pursuant to chapter 12-4;
- 9 ~~(14A)~~(20) "Vote center," a polling place when the precinct has been defined as the entire
10 jurisdiction and an electronic pollbook is utilized;
- 11 ~~(15)~~(21) "Voter," a person duly registered to vote or one who is performing the act of
12 voting;
- 13 ~~(16)~~(22) "Independent (IND)" or "no party affiliation (NPA)," any voter who writes
14 independent, I, Ind, ~~the field is blank~~, no party affiliation, no party, no choice,
15 nonpartisan, or line crossed off in the choice of party field on the voter
16 registration form;
- 17 ~~(17)~~(23) "Independent candidate," notwithstanding the definition of independent as
18 stated in this chapter, any registered voter regardless of party affiliation who
19 declares to be an independent candidate for public office pursuant to this
20 chapter;
- 21 ~~(18)~~(24) "Other," any voter who writes a political party not recognized in South Dakota
22 in the choice of party field on the voter registration form.

23 Section 2. That § 12-4-15 be amended to read:

24 12-4-15. ~~Any~~ A person ~~desiring to~~ may designate or change that person's party affiliation,

1 name, or address ~~may do so~~ by completing a new registration card. For any registration card
2 completed by a person changing that person's party affiliation, name, or address, if the field for
3 party affiliation is left blank, the person's party affiliation shall be the most recent party
4 affiliation registered for that person. For any registration card completed by a person who is
5 registering to vote for the first time in this state, if the field for party affiliation is left blank, the
6 party affiliation shall be registered as independent or no party affiliation.