

AN ACT

ENTITLED, An Act to revise certain provisions related to party affiliation on voter registration cards.

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

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

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

- (1) "Candidate," a person whose name is on the ballot or who is entitled to be on the ballot to be voted upon for nomination or election at any election;
- (2) "Election," any election held under the laws of this state;
- (3) "Election officials," state and local officials charged with the duty of conducting elections and the canvass of returns;
- (4) "Elector," a person qualified to register as a voter, whether or not the person is registered;
- (5) "Electronic pollbook," an electronic system containing both the registration list and pollbook;
- (6) "General election," the vote required to be taken in each voting precinct of the state on the first Tuesday after the first Monday in November of each even-numbered year;
- (7) "Paid circulator," any person who receives money or anything of value for collecting signatures for a petition;
- (8) "Party office," an office of a political party organization as distinct from a public office;
- (9) "Person in charge of an election," or "person charged with the conduct of an election," the county auditor in all cases except local elections for a municipality, school district, township, or other political subdivision, in which case it is the officer having the position comparable to the auditor in that unit of government if not specifically designated by law;
- (10) "Petition," a form prescribed by the State Board of Elections, which contains the question

or candidacy being petitioned, the declaration of candidacy if required and the verification of the circulator. If multiple sheets of paper are necessary to obtain the required number of signatures, each sheet shall be self-contained and separately verified by the circulator;

- (11) "Petition circulator," a resident of the State of South Dakota who is at least eighteen years of age who circulates nominating petitions or other petitions for the purpose of placing candidates or issues on any election ballot;
- (12) "Political party," a party whose candidate for any statewide office at the last preceding general election received at least two and one-half percent of the total votes cast for that statewide office;
- (13) "Pollbook" or "poll list," a list containing in numerical order the names of all persons voting at the election and type of ballot voted;
- (14) "Polling place," a designated place voters may go to vote;
- (15) "Primary" or "primary election," an election held at which candidates are nominated for public office;
- (16) "Public office," an elected position in government;
- (17) "Registration list," a list of eligible voters;
- (18) "Registered mail," does not include certified mail;
- (19) "Registration officials," the county auditor and deputies and other persons authorized to assist in registration pursuant to chapter 12-4;
- (20) "Vote center," a polling place when the precinct has been defined as the entire jurisdiction and an electronic pollbook is utilized;
- (21) "Voter," a person duly registered to vote or one who is performing the act of voting;
- (22) "Independent (IND)" or "no party affiliation (NPA)," any currently registered voter who writes independent, I, Ind, no party affiliation, no party, no choice, nonpartisan, or line

crossed off in the choice of party field on the voter registration form and any individual who is not currently registered to vote who leaves the choice of party field blank on the voter registration form;

- (23) "Independent candidate," notwithstanding the definition of independent as stated in this chapter, any registered voter regardless of party affiliation who declares to be an independent candidate for public office pursuant to this chapter;
- (24) "Other," any voter who writes a political party not recognized in South Dakota in the choice of party field on the voter registration form.

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

12-4-15. A person may designate or change that person's party affiliation, name, or address by completing a new registration card. For any registration card completed by a person changing that person's party affiliation, name, or address, if the field for party affiliation is left blank, the person's party affiliation shall be the most recent party affiliation registered for that person. For any registration card completed by a person who is registering to vote for the first time in this state, if the field for party affiliation is left blank, the party affiliation shall be registered as independent or no party affiliation.

Section 3. This Act is effective July 1, 2019.

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I certify that the attached Act
originated in the
SENATE as Bill No. 144

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 144
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,
20__ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State