

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

913B0649

## HOUSE BILL NO. 1129

Introduced by: Representatives Brunner, Gosch, Livermont, and Marty and Senators Russell and Maher

1 FOR AN ACT ENTITLED, An Act to revise provisions regarding residency of registered  
2 voters.

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

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

5 12-3-1. Every person who, at the time of an election, has been a resident of this state ~~who~~  
6 ~~shall be of the age of~~ for at least thirty days prior to the election, is eighteen years ~~and upwards~~  
7 of age or older, is not otherwise disqualified, ~~who shall have complied~~ and complies with the  
8 ~~provisions of law relating to the~~ regarding registration of voters ~~shall be entitled to~~ may vote at  
9 any election in this state.

10 Section 2. That § 12-1-4 be amended to read:

11 12-1-4. For the purposes of ~~this title, the term, residence, means the place in which a person~~  
12 ~~has fixed his or her habitation and to which the person, whenever absent, intends to return.~~

13 ~~— A person who has left home and gone into another state or territory or county of this state~~  
14 ~~for a temporary purpose only has not changed his or her residence.~~

15 ~~— A person is considered to have gained a residence in any county or municipality of this state~~



1 in which the person actually lives, if the person has no present intention of leaving.  
2 — If a person moves to another state, or to any of the other territories, with the intention of  
3 making it his or her permanent home, the person thereby loses residence in this state voting, a  
4 qualified elector may have only one residence, shown by an actual fixed permanent dwelling,  
5 establishment, or any other abode to which the person returns when not called elsewhere for  
6 labor or other special or temporary purposes. A qualified elector retains a residence in this state  
7 until another residence has been gained.