



## 2020 South Dakota Legislature

# House Bill 1085

Introduced by: **Representative Lana Greenfield**

1 **An Act to exempt this state from the observation of daylight savings time.**

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

3 **Section 1.** That a NEW SECTION be added:

4 **1-5-18. Standard time--Observation.**

5 As permitted under 15 U.S.C. § 260(a), this state exempts itself from the  
6 advancement of time provisions set forth in 15 U.S.C § 261, et seq.

7 This state, and all political subdivisions of this state, shall observe the standard  
8 time of the United States, as set forth in 15 U.S.C § 261, et seq.

9 **Section 2.** That § 12-2-3 be AMENDED:

10 **12-2-3. Opening and closing times for polls--Voters in line at closing time.**

11 At each election to be held under this title, the polls shall be opened at the hour of  
12 seven a.m. and remain continuously open until seven p.m., ~~standard time or daylight~~  
13 ~~savings time, whichever is in effect.~~ However, no polling place may be closed at any  
14 election until all the voters who have presented themselves at the polling place inside or  
15 outside for the purpose of voting prior to the time of the closing of the polls have had time  
16 to cast their ballots.

17 **Section 3.** That § 15-6-6(A) be AMENDED:

18 **15-6-6(A). Computation of time.**

19 In computing any period of time prescribed or allowed by this chapter, by order of  
20 court, or by any applicable statute, the day of the act, event, or default from which the  
21 designated period of time begins to run shall not be included. The last day of the period  
22 so computed shall be included, unless it is a Saturday, a Sunday or a legal holiday or,  
23 when the act to be done is the filing of a paper in court, a day on which weather or other  
24 conditions have made the office of the clerk of court inaccessible, in which event the period

1 runs until the end of the next day which is not one of the aforementioned days. When the  
2 period of time prescribed or allowed is less than eleven days, intermediate Saturdays,  
3 Sundays, and legal holidays shall be excluded in the computation. As used in this rule,  
4 "legal holiday" includes those holidays listed in § 1-5-1.

5 Service by facsimile, electronic mail transmission, and through the Odyssey7  
6 electronic filing system must be completed by 11:59 p.m. central standard time ~~or daylight~~  
7 ~~savings time as applicable~~, on a weekday, which is not a legal holiday, or service shall be  
8 deemed to be made on the following weekday, which is not a legal holiday.

9 **Section 4.** That § 15-26C-3 be AMENDED:

10 **15-26C-3. Time of filing.**

11 (1) A document in compliance with the Rules of Appellate Procedure and this rule  
12 and submitted electronically to the supreme court clerk by 11:59 p. m. central standard  
13 time ~~or daylight savings time as applicable~~ shall be considered filed on that date.

14 (2) After reviewing an electronically filed document, the supreme court clerk must  
15 inform the filer, through an e-mail generated by the Odyssey7 system, whether the  
16 document has been accepted or rejected. A document may be rejected (a) if it is filed in  
17 the wrong court; (b) applicable filing fees are not paid or waived; (c) the document is  
18 incomplete or contains missing information; (d) or fails to comply with applicable statutory  
19 requirements or these rules.

20 (3) Parties filing briefs electronically must also submit an original to the supreme  
21 court clerk. For any brief filed in an appeal from a judgment or order pursuant to chapter  
22 26-8A, the appellant shall also file a redacted brief in compliance with subdivision 15-26A-  
23 60(9).

24 (4) The Supreme Court may also order any party to provide additional hardcopies  
25 of any documents electronically filed.

26 **Section 5.** That § 16-21A-4 be AMENDED:

27 **16-21A-4. Time of filing.**

28 (1) A document in compliance with the rules and submitted electronically to the  
29 court clerk of court by 11:59 p.m. central standard time ~~or daylight savings time as~~  
30 ~~applicable~~ shall be considered filed on that date.

31 (2) After reviewing an electronically filed document, the clerk of court must inform  
32 the filer, through an e-mail generated by the Odyssey7 system, whether the document  
33 has been accepted or rejected. A document may be rejected (a) if it is filed in the wrong

1 county; (b) applicable filing fees are not paid or waived; (c) the document is incomplete  
2 or contains missing information; (d) or fails to comply with applicable statutory  
3 requirements or these rules.

4 (3) Any applicable fees associated with the filing must be paid at the time the  
5 document is filed. A request for the waiver of fees must accompany the filing of the  
6 document. If the request to waive such fees is denied the party must submit any applicable  
7 fee within seven days.