

# State of South Dakota

## EIGHTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 2009

807Q0115

### HOUSE BILL NO. 1234

Introduced by: Representatives Kirkeby, Boomgarden, Brunner, Feickert, Gosch, Greenfield, Lederman, Lust, Olson (Betty), Peters, Rausch, Rounds, Sorenson, Street, Turbiville, Vanderlinde, and Verchio and Senators Gant, Abdallah, Dempster, Haverly, Maher, Nesselhuf, Rhoden, and Schmidt

1 FOR AN ACT ENTITLED, An Act to revise the filing deadlines for the nomination of certain  
2 independent candidates.

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

4 Section 1. That § 12-7-1 be amended to read as follows:

5 12-7-1. Any candidate for nonjudicial public office, except as provided in § 12-7-7, who is  
6 not nominated by a primary election may be nominated by filing with the secretary of state or  
7 county auditor as prescribed by § 12-6-4, not prior to January first at 8:00 a.m. and not later than  
8 the ~~first Tuesday after the first Monday in June~~ last Tuesday of April at 5:00 p.m. prior to the  
9 election, a certificate of nomination which shall be executed as provided in chapter 12-6. If the  
10 certificate of nomination is mailed by registered mail by the ~~first Tuesday after the first Monday~~  
11 ~~in June~~ last Tuesday of April at 5:00 p.m. prior to the election, it is timely submitted. The  
12 certificate of nomination shall be signed by registered voters within the district or political  
13 subdivision in and for which the officers are to be elected. The number of signatures required  
14 may not be less than one percent of the total combined vote cast for Governor at the last



1 certified gubernatorial election within the district or political subdivision. An independent  
2 candidate for Governor shall certify the candidate's selection for lieutenant governor to the  
3 secretary of state prior to circulation of the candidate's nominating petition. The candidate and  
4 the candidate's selection for lieutenant governor or vice president shall sign the certification  
5 before it is filed. The State Board of Elections shall promulgate rules pursuant to chapter 1-26  
6 prescribing the forms for the certificate of nomination and the certification for lieutenant  
7 governor.