



2020 South Dakota Legislature

House Bill 1245

HOUSE STATE AFFAIRS ENGROSSED

Introduced by: **Representative Sullivan**

1 **An Act to revise certain provisions regarding the voting rights of felony offenders.**

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

3 **Section 1.** That § 12-4-18 be AMENDED:

4 **12-4-18. Voter Registration--Mentally Incompetent--Deceased--Felony**
 5 **Incarceration.**

6 The clerk of courts shall, within fifteen days after the close of each month, prepare
 7 and deliver to the auditor an abstract from the records of the names of persons declared
 8 mentally incompetent in the preceding month. The notice shall be sent to the county
 9 auditor of the county in which the person declared incompetent resides. The county auditor
 10 shall remove from the master registration list the names of persons identified in
 11 accordance with the information provided pursuant to this section and names of those
 12 sentenced to imprisonment in the federal penitentiary system and may remove names
 13 published in an obituary.

14 Voter registration records maintained in or transmitted to the statewide voter
 15 registration file shall be matched with the death records maintained as vital statistics
 16 records by the Department of Health and the records of those incarcerated in the state
 17 penitentiary system for felony convictions maintained by the ~~Unified Judicial System~~
 18 Department of Corrections. Any voter identified as deceased or who is ~~serv~~ing a sentence

19 (1) Currently incarcerated;

20 (2) On probation supervision; or

21 (3) On parole supervision;

22 for a felony conviction shall be removed from the voter registration records. The State
 23 Board of Elections may promulgate rules, pursuant to chapter 1-26, determining how voter
 24 registration records shall be matched.

25 **Section 2.** This Act is effective on January 1, 2021.