

# 2020 South Dakota Legislature

## Draft 926

Requested by: **Senator Nesiba**

1 **An Act to revise certain requirements for absentee ballots and to declare an**  
2 **emergency.**

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

4 **Section 1.** If an absentee ballot application does not contain an oath or a copy of the voter's  
5 identification card as required by § 12-19-2 due to a public health crisis, the applicant may  
6 complete a personal identification affidavit on a form prescribed by the secretary of state. The  
7 affidavit shall require the voter to provide the following information to establish identity:

8 (1) Name as listed on the official registration list;

9 (2) Current address of residence;

10 (3) Date of birth;

11 (4) One of the following identifying numbers:

12 (a) South Dakota driver license number;

13 (b) South Dakota nondriver identification card number; or

14 (c) Last four digits of Social Security number.

15 The voter shall sign the affidavit under penalty set forth in § 12-26-7 for  
16 impersonation of a registered voter.

17 If the absentee ballot application is accompanied by the voter's personal  
18 identification affidavit, the affidavit shall be maintained by the person in charge of the  
19 election pursuant to § 12-20-31. However, the voter's personal identification affidavit is  
20 not available for public inspection.

21 **Section 2.** This Act is repealed on August 1, 2020.

22 **Section 3.** Whereas, this Act is necessary for the immediate preservation of the public peace,  
23 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force  
24 and effect from and after its passage and approval.