

AN ACT

ENTITLED, An Act to prohibit a person from being on the general election ballot for President or vice-president and another office.

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

Section 1. That chapter 12-5 be amended by adding thereto a NEW SECTION to read as follows:

Notwithstanding the deadline provided in § 12-6-55, if any person is certified as a presidential or vice-presidential candidate pursuant to § 12-5-3.16 and that person is a candidate for another office, the person shall choose one of the candidacies and withdraw from any other candidacy. If the person fails to choose one of the candidacies within seven days of certification as a presidential or vice-presidential candidate, the person is deemed to have chosen the candidacy pursuant to § 12-5-3.16 and is further deemed to have withdrawn from any other candidacy. The resulting vacancy may be filled within seven days after the withdrawal in the manner provided in §§ 12-6-56 and 12-6-57.

Section 2. That chapter 12-7 be amended by adding thereto a NEW SECTION to read as follows:

Notwithstanding the deadline provided in § 12-6-55, if any person is nominated as a presidential or vice-presidential candidate pursuant to § 12-7-7 and that person is a candidate for another office, the person shall choose one of the candidacies and withdraw from any other candidacy. If the person fails to choose one of the candidacies within seven days of certification as a presidential or vice-presidential candidate, the person is deemed to have chosen the candidacy pursuant to § 12-7-7 and is further deemed to have withdrawn from any other candidacy.

Section 3. That § 12-6-3 be amended to read as follows:

12-6-3. No person may be a candidate for nomination or election to more than one public office, no matter if such person appears on the ballot in name or is represented by electors pursuant to § 12-5-3.16 or 12-7-7. However, a candidate for any such office is not prohibited from being elected to any one or more party offices as may be provided in chapter 12-5.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1116

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1116
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State