

State of South Dakota

EIGHTY-SECOND SESSION LEGISLATIVE ASSEMBLY, 2007

464N0404

HOUSE BILL NO. 1240

Introduced by: Representatives Kirkeby, Bradford, Brunner, Dreyer, Hanks, Hargens, Haverly, Juhnke, Lucas, Lust, Nelson, Nygaard, Olson (Betty), Olson (Russell), Pederson (Gordon), Peters, Rausch, Rounds, Thompson, Turbiville, Van Etten, and Willadsen and Senators Napoli, Abdallah, Apa, Greenfield, Katus, McCracken, Olson (Ed), and Schmidt (Dennis)

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 eight a.m. and not later
8 than the first Tuesday ~~after the first Monday in June~~ of April at five p.m. prior to the election,
9 a certificate of nomination which shall be executed as provided in chapter 12-6. If the certificate
10 of nomination is mailed by registered mail by the first Tuesday ~~after the first Monday in June~~
11 of April at five p.m. prior to the election, it is timely submitted. The certificate shall specify that
12 an independent candidate for nonjudicial public office shall designate the name of any national
13 political party, or political party organized pursuant to chapter 12-5, with which the candidate
14 has an affiliation. If no affiliation exists, the candidate shall be designated by the term, no party.



1 It shall be signed by registered voters within the district or political subdivision in and for which
2 the officers are to be elected. The number of signatures required may not be less than one
3 percent of the total combined vote cast for Governor at the last certified gubernatorial election
4 within the district or political subdivision. An independent candidate for Governor shall certify
5 the candidate's selection for lieutenant governor to the secretary of state prior to circulation of
6 the candidate's nominating petition. The candidate and the candidate's selection for lieutenant
7 governor or vice president shall sign the certification before it is filed. The State Board of
8 Elections shall promulgate rules pursuant to chapter 1-26 prescribing the forms for the
9 certificate of nomination and the certification for lieutenant governor.