



2021 South Dakota Legislature

Senate Bill 102

Introduced by: **Senator Schoenbeck**

1 **An Act to protect voter registration information for certain voters.**

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

3 **Section 1.** That a NEW SECTION be added:

4 **12-4-9.2. Secured active designation.**

5 A person eligible to vote under § 12-4-1 may apply to the secretary of state to be
6 listed in the master registration file with a secured active designation.

7 The secretary of state shall certify a secured active designation if an applicant
8 provides a sworn application that affirms one of the following:

9 (1) The applicant has obtained an active protection order under chapter 25-10 or
10 chapter 22-19A, which the secretary of state shall verify with the Unified Judicial
11 System; or

12 (2) The applicant resides in a shelter established pursuant to chapter 25-10. The
13 applicant shall obtain authorization signed by an official of the shelter.

14 Upon receipt of the application, the secretary of state shall verify with the Unified
15 Judicial System that the applicant petitioned for the protection order and the order is
16 active.

17 A voter record with a secured active designation shall be excluded from public
18 inspection or copying, except if requested by a law enforcement agency, if directed by a
19 court order, or if a secured active designation has been cancelled at the request of the
20 secured active designee.

21 A secured active designation remains in effect for five years.

22 The State Board of Elections shall promulgate rules, pursuant to chapter 1-26, to
23 prescribe the notices and forms, as well as any criteria and procedures for approving
24 applications pursuant to this Act.