



# 2025 South Dakota Legislature

## Senate Bill 68

### ENROLLED

AN ACT

**ENTITLED An Act to require an individual be a citizen of the United States before being eligible to vote and to provide a penalty therefor.**

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

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

**12-3-1.** An individual may vote at an election in this state only if, at the time of the election, the individual:

- (1) Is a citizen of the United States;
- (2) Maintains residence in this state, as defined in § 12-1-4;
- (3) Is at least eighteen years of age;
- (4) Is not otherwise disqualified; and
- (5) Complies with the law regarding the registration of voters, pursuant to chapter 12-4.

**Section 2. That § 12-26-3 be AMENDED:**

**12-26-3.** An individual is guilty of a Class 1 misdemeanor if the individual:

- (1) Knowingly makes a false statement or representation to register as a voter or cast a ballot at an election; or
- (2) Is in the presence of and knowingly allows another individual to make a false statement or representation to register as a voter or cast a ballot at an election.

This section does not apply to a state employee submitting voter registration information to another entity pursuant to federal law.

**Section 3. That § 12-26-4 be AMENDED:**

**12-26-4.** An individual is guilty of a Class 1 misdemeanor if the individual:

- (1) Knows that the individual is not a qualified voter of this state; and
- (2) Votes or offers to vote at any election held in this state.

**Section 4. That § 12-26-7 be AMENDED:**

**12-26-7.** An individual is guilty of a Class 6 felony if the individual:

- (1) Impersonates a registered voter; and
- (2) Votes or offers to vote at any election held in this state.

**Section 5. That § 12-26-8 be AMENDED:**

**12-26-8.** An individual is guilty of a Class 6 felony if the individual:

- (1) After having voted in this state, votes or offers to vote in the same or in another election precinct in this state; or
- (2) After having voted in another state or territory, votes or offers to vote in this state.

An Act to require an individual be a citizen of the United States before being eligible to vote and to provide a penalty therefor.

I certify that the attached Act originated in the:

Senate as Bill No. 68

Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_,

2025 at \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of the Senate

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
President of the Senate

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 2025

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
Speaker of the House

Attest:

Filed \_\_\_\_\_, 2025  
at \_\_\_\_\_ o'clock \_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Secretary of State

Senate Bill No. 68

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State