

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

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## HOUSE BILL NO. 1035

Introduced by: The Committee on Local Government at the request of the State Board of Elections

1 FOR AN ACT ENTITLED, An Act to revise and repeal certain provisions concerning voter  
2 registration, vote centers, and conducting elections.

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

4 Section 1. That § 12-4-4.11 be repealed.

5 ~~— 12-4-4.11. If an overseas citizen who has never resided in South Dakota is eligible to register~~  
6 ~~to vote pursuant to § 12-4-4.4 as the adult child of an overseas citizen and has not reached the~~  
7 ~~age of twenty-two, the voter registration of the adult child shall be accompanied by a photocopy~~  
8 ~~of the adult child's United States passport identification page and an overseas registrant form~~  
9 ~~indicating where the adult child's parent is registered to vote in South Dakota. The State Board~~  
10 ~~of Elections shall promulgate rules, pursuant to chapter 1-26, concerning the overseas registrant~~  
11 ~~form.~~

12 Section 2. That § 12-14-17 be amended to read:

13 12-14-17. Notwithstanding any other provision of law, any jurisdiction may conduct an  
14 election using vote centers pursuant to the provisions of this section. The election shall be  
15 conducted in conformance with all applicable election laws and rules with the following



exceptions:

(1) The jurisdiction may use vote centers that allow the voters in the jurisdiction to vote at any one of the vote centers in lieu of establishing precincts and wards for the election;

(2) Any person who is registered to vote and living in the jurisdiction may be appointed as a polling place superintendent or deputy to any of the vote centers;

(3) Secure, encrypted electronic pollbooks shall be used in lieu of paper registration books; and

(4) ~~The secretary of state shall prescribe the form of the ballot to be used at vote centers until the State Board of Elections promulgates rules pursuant to subdivision 12-1-9(2);~~

~~—(5)—The entire jurisdiction is designated as one voting precinct for this election; and~~

~~—(6)—The jurisdiction shall submit a plan for approval to the secretary of state. The Board of Elections shall promulgate rules pursuant to chapter 1-26 concerning the plan by July 1, 2013.~~

Section 3. That § 12-18-41 be repealed.

~~—12-18-41. If the person charged with the conduct of an election and the governing board determine that an election cannot be conducted, the person charged with the conduct of an election shall sign a declaration of emergency and deliver it to the secretary of state prior to the election. The secretary of state may conduct the election for that county or political subdivision until the election has been certified. Any reasonable and necessary expenses incurred by the secretary of state to conduct the election shall be reimbursed by the county or political subdivision within ninety days after the election has been certified.~~