State of South Dakota

NINETY-THIRD SESSION LEGISLATIVE ASSEMBLY, 2018

481Z0660

SENATE STATE AFFAIRS ENGROSSED NO. $SB\ 144 - 2/5/2018$

Introduced by: Senators Curd, Bolin, Ewing, Greenfield (Brock), Langer, Maher, Netherton, Novstrup, and Soholt and Representatives Peterson (Kent), Beal, DiSanto, Haugaard, Latterell, Qualm, and Rhoden

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to party affiliation on 2 voter registration cards. 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA: 4 Section 1. That § 12-1-3 be amended to read: 5 12-1-3. Terms used in this title mean: 6 (1) "Candidate," a person whose name is on the ballot or who is entitled to be on the 7 ballot to be voted upon for nomination or election at any election; (2) "Election," any election held under the laws of this state; 8 9 "Election officials," state and local officials charged with the duty of conducting (3) 10 elections and the canvass of returns; 11 (4) "Elector," a person qualified to register as a voter, whether or not the person is 12 registered; 13 (4A)(5)"Electronic pollbook," an electronic system containing both the registration list

and pollbook;

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1	(5) (6) "Gen	eral election," the vote required to be taken in each voting precinct of the state
2	on the	e first Tuesday after the first Monday in November of each even-numbered year;
3	(5A) (7)	"Paid circulator," any person who receives money or anything of value for
4		collecting signatures for a petition;
5	(6) (8) "Part	y office," an office of a political party organization as distinct from a public
6	office	2;
7	(7)(9) "Person in charge of an election," or "person charged with the conduct of ar	
8	electi	ion," the county auditor in all cases except local elections for a municipality,
9	schoo	ol district, township, or other political subdivision, in which case it is the officer
10	havir	ng the position comparable to the auditor in that unit of government if not
11	speci	fically designated by law;
12	(8) (10)	"Petition," a form prescribed by the State Board of Elections, which contains
13		the question or candidacy being petitioned, the declaration of candidacy if
14		required and the verification of the circulator. If multiple sheets of paper are
15		necessary to obtain the required number of signatures, each sheet shall be self-
16		contained and separately verified by the circulator;
17	(9) (11)	"Petition circulator," a resident of the State of South Dakota who is at least
18		eighteen years of age who circulates nominating petitions or other petitions for
19		the purpose of placing candidates or issues on any election ballot;
20	(10) (12)	"Political party," a party whose candidate for any statewide office at the last
21		preceding general election received at least two and one-half percent of the
22		total votes cast for that statewide office;
23	(10A) (13)	"Pollbook" or "poll list," a list containing in numerical order the names of all
24		persons voting at the election and type of ballot voted;

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1	(10B) (14)	"Polling place," a designated place voters may go to vote;
2	(11) (15)	"Primary" or "primary election," an election held at which candidates are
3		nominated for public office;
4	(12) (16)	"Public office," an elected position in government;
5	(12A) (17)	"Registration list," a list of eligible voters;
6	(13) (18)	"Registered mail," does not include certified mail;
7	(14) (19)	"Registration officials," the county auditor and deputies and other persons
8		authorized to assist in registration pursuant to chapter 12-4;
9	(14A) (20)	"Vote center," a polling place when the precinct has been defined as the entire
10		jurisdiction and an electronic pollbook is utilized;
11	(15) (21)	"Voter," a person duly registered to vote or one who is performing the act of
12		voting;
13	(16) (22)	"Independent (IND)" or "no party affiliation (NPA)," any <u>currently registered</u>
14		voter who writes independent, I, Ind, the field is blank, no party affiliation, no
15		party, no choice, nonpartisan, or line crossed off in the choice of party field on
16		the voter registration form and any individual who is not currently registered
17		to vote who leaves the choice of party field blank on the voter registration
18		<u>form;</u>
19	(17) (23)	"Independent candidate," notwithstanding the definition of independent as
20		stated in this chapter, any registered voter regardless of party affiliation who
21		declares to be an independent candidate for public office pursuant to this
22		chapter;
23	(18) (24)	"Other," any voter who writes a political party not recognized in South Dakota
24		in the choice of party field on the voter registration form.

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- 1 Section 2. That § 12-4-15 be amended to read:
- 2 12-4-15. Any A person desiring to may designate or change that person's party affiliation,
- aname, or address may do so by completing a new registration card. For any registration card
- 4 completed by a person changing that person's party affiliation, name, or address, if the field for
- 5 party affiliation is left blank, the person's party affiliation shall be the most recent party
- 6 affiliation registered for that person. For any registration card completed by a person who is
- 7 registering to vote for the first time in this state, if the field for party affiliation is left blank, the
- 8 party affiliation shall be registered as independent or no party affiliation.
- 9 Section 3. This Act is effective July 1, 2019.