

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

771C0075

## SENATE BILL NO. 34

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 certain requirements concerning the certificate for  
2 nomination and to provide certain rule-making authority.

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 who is not nominated by a primary  
6 election may be nominated by filing with the secretary of state or county auditor as prescribed  
7 by § 12-6-4, not prior to May first at eight a.m. and not later than the first Tuesday in August  
8 at five p.m. prior to the election, a certificate of nomination, ~~in the form prescribed by the State~~  
9 ~~Board of Elections and~~ which shall ~~otherwise~~ be executed as provided in chapter 12-6. If the  
10 certificate of nomination is mailed by registered mail by the first Tuesday of August at five p.m.  
11 prior to the election, it ~~shall be considered filed~~ is timely submitted. The certificate shall specify  
12 that an independent candidate for nonjudicial public office shall designate the name of any  
13 national political party, or political party organized pursuant to chapter 12-5, with which the  
14 candidate has an affiliation. If no affiliation exists, the candidate shall ~~designate "independent."~~  
15 be designated by the term, no party. It shall be signed by ~~not less than one percent of the~~  
16 registered voters ~~residing~~ within the district or political subdivision in and for which the officers

1 are to be elected, ~~based upon~~. The number of signatures required may not be less than one  
2 percent of the total combined vote cast for Governor at the last certified gubernatorial election  
3 within the district or political subdivision. An independent candidate for Governor shall certify  
4 his the candidate's selection for lieutenant governor to the secretary of state prior to circulation  
5 of his the candidate's nominating petition. An independent candidate for President shall file a  
6 declaration of candidacy and a certification of his the candidate's selection for vice president with  
7 the secretary of state prior to circulation of his the candidate's nominating petitions. The  
8 candidate and the candidate's selection for lieutenant governor or vice president shall sign the  
9 certification before it is filed. The State Board of Elections shall promulgate rules pursuant to  
10 chapter 1-26 prescribing the forms for the certificate of nomination and the certification for  
11 lieutenant governor and vice president.