

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

771C0075

SENATE LOCAL GOVERNMENT COMMITTEE ENGROSSED NO. **SB34** - 1/19/99

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~~ January first at eight a.m. and not later than the ~~first Tuesday in~~
8 ~~August~~ third Tuesday in June at five p.m. prior to the election, a certificate of nomination, ~~in the~~
9 ~~form prescribed by the State Board of Elections and~~ which shall ~~otherwise~~ be executed as
10 provided in chapter 12-6. If the certificate of nomination is mailed by registered mail by the ~~first~~
11 ~~Tuesday of August~~ third Tuesday in June at five p.m. prior to the election, it ~~shall be considered~~
12 ~~filed~~ is timely submitted. The certificate shall specify that an independent candidate for
13 nonjudicial public office shall designate the name of any national political party, or political party
14 organized pursuant to chapter 12-5, with which the candidate has an affiliation. If no affiliation
15 exists, the candidate shall ~~designate "independent."~~ be designated by the term, no party. It shall

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

1 **BILL HISTORY**

2 1/12/99 First read in Senate and referred to Local Government. S.J. 21

3 1/16/99 Scheduled for Committee hearing on this date.

4 1/16/99 Local Government Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 58