

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

780H0156

SENATE BILL NO. 9

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

1 FOR AN ACT ENTITLED, An Act to permit certain full-time postsecondary students to vote
2 in municipal and school elections.

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

4 Section 1. That § 9-13-4.1 be amended to read as follows:

5 9-13-4.1. No person may vote at any municipal election unless the person is registered to
6 vote pursuant to chapter 12-4 and resides in the municipality at the time of the election. For the
7 purposes of this section, a person resides in the municipality if the person actually lives in the
8 municipality for at least thirty days each year, is a full-time postsecondary education student who
9 resided in the municipality immediately prior to leaving for the postsecondary education, or is
10 on active duty as a member of the armed forces whose home of record is within the municipality.
11 A voter's qualification as a resident may be challenged in the manner provided in § 12-18-10. No
12 election may be contested on the grounds that any nonresident was allowed to vote if the
13 nonresident was not challenged in the manner provided in § 12-18-10.

14 Section 2. That § 13-7-4.2 be amended to read as follows:

15 13-7-4.2. No person may vote at any school election unless the person is registered to vote



1 pursuant to chapter 12-4 and resides in the school district at the time of the election. For the
2 purposes of this section, a person resides in the school district if the person actually lives in the
3 school district for at least thirty days each year, is a full-time postsecondary education student
4 who resided in the school district immediately prior to leaving for the postsecondary education,
5 or is on active duty as a member of the armed forces whose home of record is within the school
6 district. A voter's qualification as a resident may be challenged in the manner provided in
7 § 12-18-10. No election may be contested on the grounds that any nonresident was allowed to
8 vote if the nonresident was not challenged in the manner provided in § 12-18-10.