

2025 South Dakota Legislature

House Bill 1164**AMENDMENT 1164B
FOR THE INTRODUCED BILL**

1 **An Act to revise the process for nominating candidates for lieutenant governor.**

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

3 **Section 1. That § 12-5-21 be AMENDED:**

4 **12-5-21.** ~~The~~ In a year when the Governor is to be elected, the delegates selected
5 to participate in the state convention shall nominate candidates for ~~lieutenant governor,~~
6 attorney general, secretary of state, state auditor, state treasurer, commissioner of school
7 and public lands, and public utilities commissioner ~~and in.~~ In the years when a President
8 of the United States is to be elected, the delegates shall nominate a candidate for public
9 utilities commissioner, presidential electors, and national committeeman and national
10 committeewoman of the party.

11 **~~Section 2. That chapter 12-5 be amended with a NEW SECTION:~~**

12 ~~A candidate for Governor shall nominate a candidate for lieutenant governor by~~
13 ~~certifying the nomination to the secretary of state no later than five p.m. central time on~~
14 ~~the second Tuesday in August in the year of the election. The candidate for Governor and~~
15 ~~the candidate's nominee for lieutenant governor shall sign the certification.~~

16 ~~A candidate for lieutenant governor may withdraw from the nomination by filing a~~
17 ~~request under oath with the secretary of state. If a candidate for lieutenant governor~~
18 ~~withdraws, the candidate for Governor must nominate a replacement by certifying the~~
19 ~~nomination to the secretary of state no later than five p.m. central time on the second~~
20 ~~Tuesday in August in the year of the election. The candidate for Governor and the~~
21 ~~candidate's replacement nominee for lieutenant governor shall sign the certification.~~

22 ~~The secretary of state may not place the name of the candidate for Governor on~~
23 ~~the general election ballot until a candidate for lieutenant governor has been certified.~~

1 ~~The State Board of Elections shall promulgate rules, pursuant to chapter 1-26,~~
2 ~~prescribing the forms of the certification and withdrawal of a candidate for lieutenant~~
3 ~~governor.~~

4 **Section 2. That a NEW SECTION be added to chapter 12-6:**

5 A nominating petition filed by or on behalf of a candidate for a party's nomination
6 for Governor must include the name of the individual that the candidate selects as
7 lieutenant governor. The candidate must certify the selection to the secretary of state,
8 and the candidate for Governor and the candidate's selection for lieutenant governor must
9 sign the certification before the nominating petition may be circulated. The name of the
10 candidate's selection for lieutenant governor must be included on the ballot in the same
11 way as the party's candidate for lieutenant governor is listed on the general election ballot.

12 The candidate for lieutenant governor selected by the candidate for Governor who
13 receives the highest number of votes at the primary election or, if applicable, runoff
14 election held pursuant to § 12-6-51.1, is nominated as the party's candidate for lieutenant
15 governor.

16 **Section 3. That a NEW SECTION be added to chapter 12-6:**

17 For good cause, a candidate for lieutenant governor may withdraw from the
18 nomination by filing a request under oath with the secretary of state. If a candidate for
19 lieutenant governor withdraws, the candidate for Governor must nominate a replacement
20 by certifying the nomination to the secretary of state no later than five p.m. central time
21 on the second Tuesday in August in the year of the election. The candidate for Governor
22 and the candidate's replacement nominee for lieutenant governor shall sign the
23 certification.

24 The secretary of state may not place the name of the candidate for Governor on
25 the general election ballot until a candidate for lieutenant governor has been certified.

26 The State Board of Elections shall promulgate rules, pursuant to chapter 1-26,
27 prescribing the forms of the certification and withdrawal of a candidate for lieutenant
28 governor.

29 **Section 4. That § 12-7-1.2 be AMENDED:**

30 **12-7-1.2.** An independent candidate for Governor shall ~~certify the candidate's~~
31 ~~selection~~ nominate a candidate for lieutenant governor by certifying the nomination to the

1 secretary of state ~~with the candidate's nominating petition no later than five p.m. central~~
 2 ~~time on the second Tuesday in August July~~ in the year of election. The candidate and the
 3 candidate's ~~selection~~ nominee for lieutenant governor shall sign the certification ~~before~~
 4 ~~the nominating petitions are circulated.~~ ~~If an~~

5 ~~An~~ For good cause, an independent candidate for lieutenant governor ~~withdraws,~~
 6 ~~no~~ may withdraw from the nomination by filing a request under oath with the secretary of
 7 state. If an independent candidate for lieutenant governor withdraws, the independent
 8 candidate for Governor may have the candidate's name printed upon a ballot unless must
 9 nominate a replacement ~~selection~~ candidate for lieutenant governor ~~is certified by~~
 10 certifying the nomination to the secretary of state ~~by the second Tuesday in August.~~ The
 11 State Board of Elections shall promulgate rules, pursuant to chapter 1-26, prescribing the
 12 forms for the certification for lieutenant governor no later than five p.m. central time on
 13 the second Tuesday in August in the year of the election. The independent candidate for
 14 Governor and the candidate's replacement nominee for lieutenant governor shall sign the
 15 certification.

16 The secretary of state may not place the name of the candidate for Governor on
 17 the general election ballot until a candidate for lieutenant governor has been certified.

18 **Section 5. That § 12-25-28 be AMENDED:**

19 **12-25-28.** Any candidate for the United States Senate, the United States House
 20 of Representatives, Governor, lieutenant governor, circuit court judge, or the Legislature
 21 shall file a statement of financial interest with the secretary of state not more than fifteen
 22 days after filing the candidate's nominating petitions. Any Supreme Court justice shall file
 23 a statement of financial interest with the secretary of state not more than fifteen days
 24 following notice to the secretary of state of the justice's intention to place the justice's
 25 name on the retention ballot. A violation of this section is a petty offense. Any intentional
 26 violation of this section is a Class 2 misdemeanor.

27 **Section 6. That § 12-25-29 be AMENDED:**

28 **12-25-29.** Any candidate for ~~lieutenant governor~~, state treasurer, attorney
 29 general, secretary of state, state auditor, public utilities commissioner, or commissioner
 30 of school and public lands shall file a statement of financial interest with the secretary of
 31 state not more than fifteen days after the candidate's nomination is certified. A violation
 32 of this section is a petty offense. Any intentional violation of this section is a Class 2
 33 misdemeanor.