



2023 South Dakota Legislature

House Bill 1128

Introduced by: **Representative** Kevin Jensen

1 **An Act to revise provisions pertaining to absentee voting at nursing facilities,**
 2 **assisted living centers, or hospitals.**

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

4 **Section 1. That § 12-19-9.1 be AMENDED:**

5 **12-19-9.1.** If there is any nursing facility, assisted living center, or hospital, as
 6 defined in § 34-12-1.1, within any county from which there might reasonably be expected
 7 to be five or more absentee applications, the county auditor shall notify the person in
 8 charge of that facility and the chair of the county central committee of each party and any
 9 other person who has filed a request to be notified of the date and time at which
 10 representatives of the auditor's office will be present to assist the residents of that facility
 11 to vote, utilizing the absentee procedure. Any political party, independent candidate, and
 12 nonpolitical candidate may assign a person to accompany the auditor's representatives.
 13 At the date and time announced, the auditor's representative shall deliver ballots to and
 14 assist all persons at that facility who desire such assistance and who have applied for
 15 absentee ballots. ~~This section applies only to a general election.~~

16 If a person in charge of an election conducts absentee voting at a nursing facility,
 17 assisted living center, or hospital as defined in § 34-12-1.1, the voter ~~shall~~ must complete
 18 a combined absentee ballot application/return envelope ~~and the identification and affidavit~~
 19 ~~requirements provided in § 12-19-2.1 are waived.~~