



2022 South Dakota Legislature

Senate Bill 124

Introduced by: **Senator Crabtree**

1 **An Act to protect the integrity and accuracy of voter registration information.**

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

3 **Section 1. That chapter 12-4 be amended with a NEW SECTION:**

4 By February first of each year, each county auditor shall provide a report to the
 5 Secretary of State and the State Board of Elections that provides the number of voters
 6 removed from the voter registration list from the previous year due to:

7 (1) Inactivity;

8 (2) Death;

9 (3) Felony conviction;

10 (4) Mental incompetence; or

11 (5) Relocation to another jurisdiction.

12 The State Board of Elections shall promulgate rules pursuant to chapter 1-26 to
 13 designate the form and contents of the report.

14 The report's contents must be made available for public inspection.

15 **Section 2. That § 12-4-15 be AMENDED:**

16 **12-4-15.** A person may designate or change that person's party affiliation, name,
 17 or address by completing a new registration card. ~~For any registration card completed by~~
 18 ~~a person changing that person's party affiliation, name, or address, if~~ A registered voter
 19 shall update the voter's registration information after changing a place of residence or
 20 legally changing the voter's name. If the field for party affiliation is left blank on the
 21 registration card, the person's party affiliation shall be the most recent party affiliation
 22 registered for that person. For any registration card completed by a person who is
 23 registering to vote for the first time in this state, if the field for party affiliation is left
 24 blank, the party affiliation shall be registered as independent or no party affiliation.

1 **Section 3. That § 12-4-18 be AMENDED:**

2 **12-4-18.** The clerk of courts shall, within fifteen days after the close of each
3 month, prepare and deliver to the auditor an abstract from the records of the names of
4 persons declared mentally incompetent in the preceding month. The notice shall be sent
5 to the county auditor of the county in which the person declared incompetent resides. The
6 county auditor shall remove from the master registration list the names of persons
7 identified in accordance with the information provided pursuant to this section and names
8 of those sentenced to imprisonment in the federal penitentiary system and may remove
9 names published in an obituary.

10 ~~Voter~~ At least once per month, voter registration records maintained in or
11 transmitted to the statewide voter registration file shall be matched with the death records
12 maintained as vital statistics records by the Department of Health and the records of felony
13 convictions maintained by the Unified Judicial System. Any voter identified as deceased
14 or who is serving a sentence for a felony conviction shall be removed from the voter
15 registration records. The State Board of Elections may promulgate rules, pursuant to
16 chapter 1-26, determining how voter registration records shall be matched.

17 **Section 4. That § 12-4-37 be AMENDED:**

18 **12-4-37.** The secretary of state shall ~~establish~~ maintain a secure, computerized
19 system for ~~maintaining~~ and utilizing the voter registration file and for transmitting voter
20 registration information from each county auditor to the Office of the Secretary of State.
21 Each county auditor shall transmit any changes to the master registration file or the
22 absentee voter log to the secretary of state on a daily basis. The county auditor shall
23 transmit updated information contained in the county voter registration system, including
24 voter registration information and voter election history information, to the Office of the
25 Secretary of State, not later than July fifteenth after each primary election and December
26 fifteenth after each general election.