

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

258T0487

## SENATE BILL NO. 137

Introduced by: Senators Lederman, Brown, Cutler, and Maher and Representatives  
Munsterman, Gosch, Kirkeby, and Rausch

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the application for  
2 absentee voting.

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

4 Section 1. That § 12-19-2.1 be amended to read as follows:

5 12-19-2.1. At anytime prior to an election, a voter may apply in person at the office of and  
6 to the person in charge of the election for an absentee ballot during regular office hours up to  
7 3:00 p.m. on the day of the election. If the voter applies in person, the voter shall complete a  
8 combined absentee ballot application/return envelope and show the person in charge of the  
9 election the voter's identification card as required in § 12-18-6.1 or complete the affidavit as  
10 provided in § 12-18-6.2.

11 In the event of confinement because of sickness or disability, a qualified voter may apply  
12 pursuant to the provisions of § 12-19-2 in writing and obtain an absentee ballot by authorized  
13 messenger so designated over the signature of the voter. The person in charge of the election  
14 may deliver to the authorized messenger a ballot to be delivered to the qualified voter. Any  
15 application for a ballot by authorized messenger must be received by the person in charge of the



1 election before 3:00 p.m. the day of the election. If the application designating an authorized  
2 messenger also indicates a request for an absentee ballot for any future election, such absentee  
3 ballot shall be mailed to the address provided on the application. If no address is provided, the  
4 ballot shall be mailed to the person's voter registration address.

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

6 13-7-14. Absentee voting shall be permitted in school district elections, including school  
7 district bond elections and shall be conducted pursuant to chapter 12-19. The school board, with  
8 the approval of the county auditor and board of county commissioners, may permit absentee  
9 ballots to be voted at the county auditor's office in the county of jurisdiction.

10 Section 3. That § 9-13-21 be amended to read as follows:

11 9-13-21. The finance officer shall prepare and furnish, at the expense of the municipality,  
12 all official ballots. The quantity of ballots provided shall be at least ten percent more than the  
13 number of voters at the last comparable election. The ballots shall be white in color, of good  
14 quality of print paper, printed in black ink, and in the English language only.

15 The ballots for municipal elections shall be available for absentee voting no later than fifteen  
16 days prior to election day. If the ballots are for a secondary election, the ballots shall be  
17 available no later than seven days prior to the secondary election day. Absentee voting shall be  
18 conducted pursuant chapter 12-19.

19 The names of the candidates for each office to be voted for in the precinct shall be arranged  
20 without any other designation than that of the office for which they are candidates. If more than  
21 one member of the governing body is to be elected, the ballot shall contain instructions as to  
22 how many candidates for the governing body are to be voted for. The finance officer shall  
23 determine, by lot, each candidate's position on the ballot. Each candidate may be present or  
24 represented when the position on the ballot is being determined.

- 1 No candidate's name may be printed upon the official ballot unless the candidate has been
- 2 nominated as provided in this chapter.