



2022 South Dakota Legislature

Senate Bill 185

Introduced by: **Senator Frye-Mueller**

1 **An Act to revise certain provisions regarding voter registration records.**

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

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

4 **12-4-18.** The clerk of courts shall, within fifteen days after the close of each
 5 month, prepare and deliver to the auditor an abstract from the records of the names of
 6 persons declared mentally incompetent in the preceding month. The notice ~~shall~~ must be
 7 sent to the county auditor of the county in which the person declared incompetent resides.
 8 Each county coroner shall prepare and deliver to the auditor a list of the names of persons
 9 declared deceased in the preceding month. The county auditor shall remove from the
 10 master registration ~~list~~ the file:

11 (1) The names of persons identified as mentally incompetent, in accordance with the
 12 information provided pursuant to this section; ~~and~~

13 (2) The names of these persons sentenced to imprisonment in the federal penitentiary
 14 system ~~and may remove;~~ and

15 (3) The names published in an obituary of deceased persons, in accordance with the
 16 information provided pursuant to this section.

17 Voter registration records maintained in or transmitted to the statewide voter
 18 registration file shall be matched with the death records maintained as vital statistics
 19 records by the Department of Health and the records of felony convictions maintained by
 20 the Unified Judicial System. Any voter identified as deceased or who is serving a sentence
 21 for a felony conviction shall be removed from the voter registration records. The State
 22 Board of Elections may promulgate rules, pursuant to chapter 1-26, determining how voter
 23 registration records shall be matched.