

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

816V0394

SENATE BILL NO. 34

Introduced by: The Committee on Local Government at the request of the State Board of
Elections

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning applications for
2 absentee ballot and to declare an emergency.

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

4 Section 1. That § 12-19-2 be amended to read as follows:

5 12-19-2. An absentee voter desiring to vote by mail may apply to the person in charge of the
6 election for an absentee ballot. The application or request shall be made in writing and be signed
7 by the applicant and shall state the applicant's voter registration address. The application or
8 request shall contain an oath verifying the validity of the information contained in the
9 application or request. The oath shall be administered by a notary public or other officer
10 authorized by statute to administer an oath. If the application or request does not contain an
11 oath, the application or request shall be accompanied by a copy of the voter's identification card
12 as required by § 12-18-6.1. The copy of the voter's identification card shall be maintained by the
13 person in charge of the election. However, the voter's identification card is not available for
14 public inspection. The application or request may be used to obtain an absentee ballot for all
15 elections in that calendar year conducted by the jurisdiction receiving the application or request



1 if so indicated. The ballot shall be sent to the voter's residence, as shown in the voter registration
2 file or any temporary residence address designated in writing by the voter, at the time of
3 applying for the absentee ballot. If the application or request is ~~for a primary, general, or other~~
4 ~~statewide election~~ from a voter identified as being covered by the Uniformed and Overseas
5 Citizens Absentee Voting Act (42 U.S.C. 1973ff-1) as of January 1, 2010, the voter may
6 designate on the application for the ballot to be sent electronically pursuant to this section
7 through the system provided by the Office of the Secretary of State. The person in charge of the
8 election shall stamp the application with the date it was received. The person in charge of the
9 election shall preserve a record of the name, mailing address, and voting precinct of each
10 applicant and, except as provided by § 12-19-45, deliver a copy of the record to the
11 superintendent of the election board of the home precinct of the applicant.

12 Section 2. That chapter 12-4 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 If a voter identified as being covered by the Uniformed and Overseas Citizens Absentee
15 Voting Act (42 U.S.C. 1973ff-1) as of January 1, 2010, the voter may register to vote through
16 the system provided by the Office of the Secretary of State.

17 Section 3. Whereas, this Act is necessary for the support of the state government and its
18 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
19 full force and effect from and after its passage and approval.