

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

743S0390

HOUSE BILL NO. 1130

Introduced by: Representatives Feinstein, Gosch, Hunhoff (Bernie), Kirkeby, Lucas, and
Lust and Senators Adelstein and Hansen (Tom)

1 FOR AN ACT ENTITLED, An Act to allow certain adult children of overseas citizens to vote
2 in the state.

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

4 Section 1. That § 12-4-4.4 be amended to read as follows:

5 12-4-4.4. Any overseas citizen ~~shall have the right to~~ may register and vote in any federal,
6 state, county, or local election held within South Dakota under the following conditions:

7 (1) The overseas citizen, or the spouse or parent of the overseas citizen, was last
8 domiciled in South Dakota immediately prior to departure from the United States;

9 (2) The overseas citizen does not maintain a domicile, is not registered to vote, and is not
10 voting in any other state;

11 (3) The overseas citizen is otherwise qualified to vote according to law.

12 Section 2. That § 12-4-4.5 be amended to read as follows:

13 12-4-4.5. The overseas citizen ~~shall be allowed to~~ may register and vote absentee in the same
14 county and election precinct in which the overseas citizen, or spouse or parent of the overseas
15 citizen, resided immediately prior to leaving the United States.



1 Section 3. That chapter 12-4 be amended by adding thereto a NEW SECTION to read as
2 follows:

3 If an overseas citizen who has never resided in South Dakota is eligible to register to vote
4 pursuant to § 12-4-4.4 as the adult child of an overseas citizen, the voter registration of the adult
5 child shall be accompanied by a photocopy of the adult child's United States passport
6 identification page and an overseas registrant form indicating where the adult child's parent is
7 registered to vote in South Dakota. The State Board of Elections shall prescribe the overseas
8 registrant form.