

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

546T0403

SENATE BILL NO. 128

Introduced by: Senators Lederman, Brown, Maher, Rampelberg, and Schlekeway and
Representatives Willadsen, Cronin, Hansen (Jon), Kirkeby, and Moser

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning elections.

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

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

4 12-4-2. The county auditor has complete charge of maintaining and safeguarding the voter
5 registration records in the county. The county auditor shall retain all voter registration records
6 in the auditor's office in paper or electronic form. All such records shall be open to public
7 inspection at all times during office hours, except ~~that public access to social security numbers~~
8 ~~and driver license numbers is restricted~~ pursuant to § 12-4-9.

9 Voter registration shall be conducted by each county auditor and municipal finance officer.

10 Voter registration shall be available at the secretary of state's office and at those locations which
11 provide driver licenses; food stamps; temporary assistance for needy families; women, infants,
12 and children nutrition program; medicaid; military recruitment; and assistance to the disabled
13 as provided by the Department of Human Services.

14 If an elector possesses a valid South Dakota driver license as defined in § 32-12-1 or South
15 Dakota identification card as defined in § 32-12-17.2, the Office of the Secretary of State shall



1 endeavor to make voter registration available to such qualified electors through the website of
2 the secretary of state as expeditiously as may be feasible.

3 Section 2. That § 12-4-9 be amended to read as follows:

4 12-4-9. The county auditor shall maintain and safeguard a file of voters in computer format
5 that contains each person registered in each voting precinct within the county. This file shall be
6 known as the master registration file and shall be, at all times during office hours, open to public
7 inspection. However, public access to social security numbers and driver license numbers
8 contained in the master registration file shall be prohibited. Public access to each voter's day and
9 month of birth shall be restricted. Public access to the voter's year of birth is not restricted. The
10 master registration file shall contain all information from each voter's registration card ~~except~~
11 ~~the description of the location of the voter's residence.~~ The master registration file shall also
12 include the date of the last election the voter has voted in and when the voter's information was
13 last updated. The master registration file may also contain additional voter history information.

14 Section 3. That § 12-4-4.11 be amended to read as follows:

15 12-4-4.11. If an overseas citizen who has never resided in South Dakota is eligible to register
16 to vote pursuant to § 12-4-4.4 as the adult child of an overseas citizen and has not reached the
17 age of twenty-two, the voter registration of the adult child shall be accompanied by a photocopy
18 of the adult child's United States passport identification page and an overseas registrant form
19 indicating where the adult child's parent is registered to vote in South Dakota. The State Board
20 of Elections shall ~~prescribe~~ promulgate rules, pursuant to chapter 1-26, concerning the overseas
21 registrant form.

22 Section 4. That § 12-20-37 be amended to read as follows:

23 12-20-37. The secretary of state shall, ~~at least thirty days before each primary and general~~
24 ~~election, transmit to each county auditor envelopes for all returns of votes required to be made~~

1 ~~to the secretary of state's office. Printed directions shall accompany the envelope provide~~ for the
2 guidance and direction of the county auditor in making the returns according to law.

3 Section 5. That § 12-4-24.1 be repealed.

4 ~~— 12-4-24.1. Upon request the county auditor shall provide at their actual cost no more than~~
5 ~~five copies of precinct registration lists to the chairman or central committee of each organized~~
6 ~~political party, and a copy to each candidate requesting them, by the first Tuesday of the month~~
7 ~~preceding an election.~~