

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

739W0630

HOUSE BILL NO. 1176

Introduced by: Representatives Gosch, Langer, Mickelson, Westra, and Wink and Senators Rave, Brown, Holien, and Lederman

1 FOR AN ACT ENTITLED, An Act to authorize a person to be on the general election ballot
2 for president or vice president and another office.

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

4 Section 1. That § 12-5-3.17 be repealed.

5 ~~—12-5-3.17. Notwithstanding the deadline provided in § 12-6-55, if any person is certified as~~
6 ~~a presidential or vice-presidential candidate pursuant to § 12-5-3.16 and that person is a~~
7 ~~candidate for another office, the person shall choose one of the candidacies and withdraw from~~
8 ~~any other candidacy. If the person fails to choose one of the candidacies within seven days of~~
9 ~~certification as a presidential or vice-presidential candidate, the person is deemed to have chosen~~
10 ~~the candidacy pursuant to § 12-5-3.16 and is further deemed to have withdrawn from any other~~
11 ~~candidacy. The resulting vacancy may be filled within seven days after the withdrawal in the~~
12 ~~manner provided in §§ 12-6-56 and 12-6-57.~~

13 Section 2. That § 12-7-8 be repealed.

14 ~~—12-7-8. Notwithstanding the deadline provided in § 12-6-55, if any person is nominated as~~
15 ~~a presidential or vice-presidential candidate pursuant to § 12-7-7 and that person is a candidate~~



1 ~~for another office, the person shall choose one of the candidacies and withdraw from any other~~
2 ~~candidacy. If the person fails to choose one of the candidacies within seven days of certification~~
3 ~~as a presidential or vice-presidential candidate, the person is deemed to have chosen the~~
4 ~~candidacy pursuant to § 12-7-7 and is further deemed to have withdrawn from any other~~
5 ~~candidacy.~~

6 Section 3. That § 12-6-3 be amended to read as follows:

7 12-6-3. No person may be a candidate for nomination or election to more than one public
8 office, no matter if such person appears on the ballot in name or is represented by electors
9 pursuant to § 12-5-3.16 or 12-7-7 except for the office of President of the United States or vice
10 president of the United States. However, a candidate for any such office is not prohibited from
11 being elected to any one or more party offices as may be provided in chapter 12-5.