

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0293

HOUSE LOCAL GOVERNMENT ENGROSSED NO. **HB 1026** - 1/17/2019

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 regarding petitions, notices, and
2 statements of convention nominees and certifications of party officials.

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

4 Section 1. That § 12-6-7.1 be amended to read:

5 12-6-7.1. Notwithstanding the provisions of § 12-6-7 a nominating petition for a candidate
6 for ~~office in~~ the State Legislature, county political public office, and county party office shall
7 be signed by not less than fifty voters or not less than one percent of the voters who cast their
8 vote for the party's gubernatorial candidate, whichever is less. The petition shall ~~clearly~~
9 designate the senatorial or representative district number and house for which ~~said individual~~
10 the person is a candidate.

11 Section 2. That § 12-12-1 be amended to read:

12 12-12-1. The county auditor ~~or other local election official~~ charged with the conduct of local
13 ~~elections~~ a primary election shall give notice of ~~the offices that are~~ any office to be filled by
14 nomination or by declaration and the ~~deadlines~~ deadline for filing in all official newspapers in



1 ~~the appropriate district, at least once each week for two consecutive weeks, the last publication~~
2 ~~to be not less than ten nor more than fifteen days before the deadline for filing between the~~
3 ~~fifteenth and thirtieth day of January in an even-numbered year. A local election official charged~~
4 ~~with the conduct of a local election shall give notice of any office to be filled by nomination or~~
5 ~~by declaration and the deadline for filing a nominating petition, in all official newspapers in the~~
6 ~~locality, at least once each week for two consecutive weeks. The last publication in the notice~~
7 ~~may not be less than ten nor more than fifteen days before the deadline for filing. The provisions~~
8 ~~of this section apply unless otherwise provided by law specifically governing the election. That~~
9 ~~same official~~

10 The person in charge of the election shall give a further notice of each election stating the
11 date and time of the election, and designating each polling ~~places~~ place for the election, in all
12 official newspapers at least once each week for two consecutive weeks, the last publication to
13 be not less than four nor more than ten days before the election. ~~However, for~~ For any secondary
14 election ~~as provided for in~~ under § 12-6-51.1, one notice shall be published along with a copy
15 of the ballot in each of the newspapers newspaper in the state ~~which publish~~ that publishes on
16 Saturday and Sunday. The secretary of state shall direct the newspapers to publish the ballot and
17 notice on the eleventh or twelfth day after the primary election. The secretary of state shall pay
18 all costs of publication.

19 Section 3. That § 12-5-14 be amended to read:

20 12-5-14. The county central committee of a political party is comprised of precinct
21 committeemen and ~~the~~ precinct committeewomen of ~~each~~ the political party; the state
22 committeemen and committeewomen; the county chairperson, vice-chairperson, and secretary-
23 treasurer or secretary and treasurer; and the elected public officers who reside in the county and
24 other officers as designated by the party's constitution or bylaws, ~~constitute the county central~~

1 ~~committee of their respective parties. They.~~ A county central committee of a political party shall
2 form ~~their~~ the party organization by electing a county chairperson and other officers as
3 determined by the party's constitution or bylaws. The name and mailing address of the county
4 chairperson shall be certified to the county auditor and state party chairperson immediately
5 following the election of the county chairperson or change of the county chairperson. The name
6 and mailing address of the county officer responsible for the records and reports required
7 ~~pursuant to~~ under chapter 12-27 shall be certified to the secretary of state immediately following
8 the election. The name and mailing address of the state party chairperson shall be certified to
9 the secretary of state immediately following the election or appointment of the state party
10 chairperson.

11 Section 4. That chapter 12-25 be amended by adding a NEW SECTION to read:

12 Any candidate for United States Senate, United States House of Representatives, Governor,
13 lieutenant governor, state treasurer, attorney general, secretary of state, state auditor, public
14 utilities commissioner, commissioner of school and public lands, or state legislator who has
15 been nominated at the convention of a party with alternative political status shall file a statement
16 of financial interest with the secretary of state not more than fifteen days after the candidate's
17 nomination is certified. A violation of this section is a petty offense. Any intentional violation
18 of this section is a Class 2 misdemeanor.