

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

643B0004

SENATE BILL NO. 7

Introduced by: Senator Nelson and Representative Dennert

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding prohibited activities
2 near polling places.

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

4 Section 1. That § 12-18-3 be amended to read:

5 12-18-3. Except for sample ballots and materials ~~and, or for~~ supplies necessary for the
6 conduct of the election, ~~no~~ a person may not, in ~~any~~ a polling place ~~or,~~ within or on any building
7 in which a polling place is located, ~~or within one hundred feet from any of an~~ entrance leading
8 into a polling place; ~~maintain;~~

9 (1) Maintain a campaign office or public address system; ~~or use;~~

10 (2) Use any communication or photographic device in a manner ~~which~~ that repeatedly
11 distracts, interrupts, or intimidates any voter or election worker; ~~or display;~~

12 (3) Display ~~a~~ campaign posters, signs, or other campaign materials ~~or by any like means~~
13 ~~solicit any poster or sign; or~~

14 (4) Solicit votes for or against any person ~~or,~~ political party, or position on a question
15 submitted or ~~which~~ that may be submitted.



1 ~~No~~ A person may not engage in any practice which that interferes with the a voter's free
2 access to the polls or that disrupts the administration of ~~the~~ a polling place;~~or. A person may~~
3 not conduct any petition signature gathering; on the day of an election; inside or within one
4 hundred feet of a polling place. ~~For the purposes of this section, the term, polling place, means~~
5 ~~a designated place voters may go to vote on the day of the election or go to vote absentee.~~

6 This section does not prohibit a voter from wearing clothing or any campaign button that
7 expresses support for or opposition to a political candidate, political issue, or ballot question
8 while lawfully present inside or within one hundred feet of a polling place. This section does
9 not prohibit any person from displaying a campaign poster or sign on that person's private
10 property or personal vehicle within one hundred feet of a polling place so long as the property
11 or vehicle is otherwise lawfully present.

12 A violation of this section is a Class 2 misdemeanor.