

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

546A0185

SENATE BILL NO. 27

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 the time frames for giving notice concerning local
2 elections and the distribution of sample ballots.

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

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

5 12-12-1. The county auditor or other local election official charged with the conduct of local
6 elections shall give notice of the offices that are to be filled by nomination or by declaration and
7 the deadlines for filing ~~thereof~~ in all official newspapers at least once each week for two
8 consecutive weeks, the last publication to be not less than ten nor more than fifteen days before
9 the deadline for filing. That same official shall give a further notice of each election stating the
10 date and time of the election and designating polling places in all official newspapers at least once
11 each week for two consecutive weeks, the last publication to be not less than ~~ten~~ four nor more
12 than ~~fifteen~~ ten days before the election. However, for any secondary election as provided for
13 in § 12-6-51.1, one notice shall be published along with a copy of the ballot in each of the
14 newspapers in the state which publish on Saturday and Sunday. The secretary of state shall direct
15 the newspapers to publish the ballot and notice on the eleventh or twelfth day after the primary

1 election. The secretary of state shall pay all costs of publication.

2 Section 2. That § 12-16-15 be amended to read as follows:

3 12-16-15. ~~When directed by his board of county commissioners, the~~ The county auditor shall
4 ~~forthwith upon receipt from the printer of the sample ballots described in § 12-16-1, mail to~~
5 ~~every voter of his respective county at his post-office address, one of each of such printed sample~~
6 ~~ballots in an envelope with postage fully paid thereon, and it shall also be his duty to forthwith~~
7 ~~post at the front door of the courthouse, in a conspicuous place, one or more of such printed~~
8 ~~sample ballots, in such manner that the same~~ post sample ballots in a manner that can be plainly
9 seen and read by the public.

10 Section 3. That § 12-16-16 be amended to read as follows:

11 12-16-16. ~~If the county commissioners direct that sample ballots not be mailed as provided~~
12 ~~by § 12-16-15, the~~ The county auditor shall publish in each official newspaper of the county,
13 facsimiles of the official ballots of every election in which the voters of the entire county
14 participate. The facsimile shall be published once in each legal newspaper at least ~~ten~~ four days
15 prior to each election. The newspaper shall receive for the publications, compensation at the
16 same rate as the general display rate for the newspaper. The published facsimile may be reduced
17 in size proportionately up to fifty percent but in no case may the ballot wording be in a type less
18 than eight point. If a portion of a candidate ballot is not voted on in the entire county, a facsimile
19 of that portion of the ballot may be published simultaneously but separate from the candidate
20 ballot and shall contain a description of who will vote on that portion of the ballot.