

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

555B0192

SENATE BILL NO. 13

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 State Board of Elections' rule-making
2 authority.

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

4 Section 1. That § 12-1-9 be amended to read as follows:

5 12-1-9. The State Board of Elections ~~shall exercise the rule-making power previously~~
6 ~~granted to the secretary of state, relating to establishing forms for registration and forms and~~
7 ~~color of ballots and other forms for notices, and to otherwise prescribe forms where such are not~~
8 ~~made mandatory by law to provide for uniformity of election procedures. The board, in~~
9 ~~promulgation of its rules, shall comply with chapter 1-26~~ may promulgate rules pursuant to
10 chapter 1-26 concerning:

11 (1) Forms for voter registration and voter list maintenance;

12 (2) Forms and color of ballots;

13 (3) Forms for notices;

14 (4) The uniformity of election procedures;

15 (5) The operation of the State Board of Elections;

1 (6) The procedure to accept a petition and verify petition signatures;

2 (7) Petition forms;

3 (8) Envelopes for absentee voting;

4 (9) Instructions to voters and absentee voters.

5 Section 2. That § 12-18-8.1 be amended to read as follows:

6 12-18-8.1. The State Board of Elections shall ~~for each primary and general election set~~
7 promulgate rules pursuant to chapter 1-26 setting the number of poll watchers ~~for the various~~
8 ~~precincts within the state taking into consideration the number of candidates and issues to be~~
9 ~~voted upon at that election. Such rules shall be promulgated pursuant to chapter 1-26 which are~~
10 allowed in each polling place.

11 Section 3. That § 12-19-3 be amended to read as follows:

12 12-19-3. Upon receiving an application for absentee ballots, the person in charge of an
13 election shall, within forty-eight hours, or if ballots are not then on hand, then within forty-eight
14 hours after receipt of the ballots, after confirming from the master registration list that the
15 applicant is registered as a voter pursuant to chapter 12-4, enclose one of each of the official
16 ballots, a set of instructions on absentee balloting, in and an unsealed return envelope ~~which shall~~
17 ~~be prescribed by the State Board of Elections.~~ All of the enclosures shall be sealed in an envelope
18 addressed to the applicant at the place stated in ~~his~~ the application.

19 Section 4. That § 16-1-2.2 be amended to read as follows:

20 16-1-2.2. The ~~form~~ State Board of Elections shall promulgate rules pursuant to chapter 1-26
21 setting the deadline for requests from Supreme Court justices for inclusion on a retention ballot
22 and prescribing the format of the Supreme Court justices' retention ballot ~~shall be prescribed by~~
23 ~~the State Board of Elections.~~