

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

645E0064

## SENATE ENGROSSED NO. **HB 1009** - 01/25/2001

Introduced by: The Committee on Local Government at the request of the Secretary of  
State

1 FOR AN ACT ENTITLED, An Act to revise the procedure for updating the voter registration  
2 list.

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

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

5 12-4-18. The Department of Health, in conjunction with preparation of abstracts of vital  
6 statistics records made pursuant to § 34-25-46, shall prepare an abstract for the county auditor,  
7 listing names and addresses of voters who have been residents of that county ~~who~~ and have died.

8 The register of deeds shall deliver a list of the names and addresses of all persons who have  
9 died and whose death certificates were filed in the office during the previous month to the county  
10 auditor of the decedent's county of residency by the tenth day of each month.

11 The clerk of courts shall, within fifteen days after the close of each month, prepare and  
12 deliver to the auditor an abstract from the records of the names of persons declared mentally  
13 incompetent, convicted, and sentenced for a felony, or for whom an application or petition for  
14 probate is filed, in the preceding month. The clerk of courts shall give notice in all felony cases  
15 including those sentenced to probation. The notice shall be sent to the county auditor of the

1 county in which the person declared incompetent or convicted resides. The county auditor shall  
2 remove from the master registration list the names of persons identified in accordance with the  
3 information provided pursuant to this section and may remove names published in an obituary.

4 Section 2. That § 12-4-19 be amended to read as follows:

5 12-4-19. The name of any voter on the active registration list who has failed to vote, has not  
6 updated the voter's registration information, and has not replied to a confirmation mailing at least  
7 once during the last preceding four consecutive years shall be sent a nonforwardable  
8 return-if-undeliverable address verification request or the name of the voter may be submitted  
9 to a national change of address licensee of the United States Postal Service to determine if the  
10 voter's address has changed. If the request is undeliverable or the national change of address  
11 licensee indicates that the voter's address has changed, then a confirmation mailing prescribed  
12 by the State Board of Elections shall be sent. This determination shall be made by each county  
13 auditor between January first and November fifteenth of each odd-numbered year.