

AN ACT

ENTITLED, An Act to revise the dates for filing certain certificates of nomination.

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

Section 1. That § 12-7-1 be amended to read as follows:

12-7-1. Any candidate for nonjudicial public office, except as provided in section 2 of this Act, who is not nominated by a primary election may be nominated by filing with the secretary of state or county auditor as prescribed by § 12-6-4, not prior to January first at eight a.m. and not later than the third Tuesday in June at five p.m. prior to the election, a certificate of nomination which shall be executed as provided in chapter 12-6. If the certificate of nomination is mailed by registered mail by the third Tuesday in June at five p.m. prior to the election, it is timely submitted. The certificate shall specify that an independent candidate for nonjudicial public office shall designate the name of any national political party, or political party organized pursuant to chapter 12-5, with which the candidate has an affiliation. If no affiliation exists, the candidate shall be designated by the term, no party. It shall be signed by registered voters within the district or political subdivision in and for which the officers are to be elected. The number of signatures required may not be less than one percent of the total combined vote cast for Governor at the last certified gubernatorial election within the district or political subdivision. An independent candidate for Governor shall certify the candidate's selection for lieutenant governor to the secretary of state prior to circulation of the candidate's nominating petition. The candidate and the candidate's selection for lieutenant governor or vice president shall sign the certification before it is filed. The State Board of Elections shall promulgate rules pursuant to chapter 1-26 prescribing the forms for the certificate of nomination and the certification for lieutenant governor.

Section 2. That chapter 12-7 be amended by adding thereto a NEW SECTION to read as follows:

Any candidate for President or Vice President of the United States who is not nominated by a

primary election may be nominated by filing with the secretary of state or county auditor as prescribed by § 12-6-4, not prior to January twentieth at eight a.m. and not later than the first Tuesday in August at five p.m. prior to the election, a certificate of nomination which shall be executed as provided in chapter 12-6. If the certificate of nomination is mailed by registered mail by the first Tuesday in August at five p.m. prior to the election, it is timely submitted. The certificate shall specify that an independent candidate for President or Vice President shall designate the name of any national political party, or political party organized pursuant to chapter 12-5, with which the candidate has an affiliation. If no affiliation exists, the candidate shall be designated by the term, no party. The number of signatures required may not be less than one percent of the total combined vote cast for Governor at the last certified gubernatorial election within the state. An independent candidate for President shall file a declaration of candidacy and a certification of the candidate's selection for Vice President with the secretary of state prior to circulation of the candidate's nominating petitions. The candidate and the candidate's selection for Vice President shall sign the certification before it is filed. The State Board of Elections shall promulgate rules pursuant to chapter 1-26 prescribing the forms for the certificate of nomination and the certification for Vice President.

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I certify that the attached Act originated in the

SENATE as Bill No. 7

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 7
File No. _____
Chapter No. _____

Received at this Executive Office this ____ day of _____,

20__ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____, A.D., 20__

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State