

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

400P0148

HOUSE BILL NO. 1029

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

1 FOR AN ACT ENTITLED, An Act to allow voters to request that absentee ballots be provided
2 for all elections and to provide a means to update the list of voters automatically requesting
3 absentee ballots.

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

5 Section 1. That § 12-19-2 be amended to read as follows:

6 12-19-2. An absentee voter desiring to vote by mail may apply to the person in charge of the
7 election for an absentee ballot. The application or request shall be made in writing and be signed
8 by the applicant and shall state the applicant's voter registration address. The application or
9 request shall contain an oath verifying the validity of the information contained in the
10 application or request. The oath shall be administered by a notary public or other officer
11 authorized by statute to administer an oath. If the application or request does not contain an
12 oath, the application or request shall be accompanied by a copy of the voter's identification card
13 as required by § 12-18-6.1. The copy of the voter's identification card shall be maintained by the
14 person in charge of the election. However, the voter's identification card is not available for
15 public inspection. The application or request may be used to obtain an absentee ballot for all



1 elections ~~in that calendar year~~ conducted by the jurisdiction receiving the application or request
2 if so indicated. If the application or request is from a voter identified as being covered by the
3 Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1) as of January 1,
4 2006, an absentee ballot shall be provided to the voter for each federal election through the next
5 two general elections. The ballot shall be sent to the voter's residence, as shown in the voter
6 registration file or any temporary residence address designated in writing by the voter, at the
7 time of applying for the absentee ballot. The person in charge of the election shall stamp the
8 application with the date it was received. The person in charge of the election shall preserve a
9 record of the name, mailing address, and voting precinct of each applicant and, except as
10 provided by § 12-19-45, deliver the record to the superintendent of the election board of the
11 home precinct of the applicant. If any absentee ballot is returned by the postal service as
12 undeliverable or any requested absentee ballot is not returned as voted, the application is not
13 valid for succeeding elections.