

CHAPTER 5:02:03

FORMS FOR REGISTRATION

Section

5:02:03:00	Repealed.
5:02:03:01	Voter registration form.
5:02:03:01.01 to 5:02:03:11	Repealed.
5:02:03:12	Agency voter registration instructions.
5:02:03:13	Voter registration instructions.
5:02:03:14	Acknowledgement notice for invalid or incomplete voter registration applications.
5:02:03:15	Acknowledgement notice for valid voter registrations.
5:02:03:16	Confirmation mailing notice.
5:02:03:17	Retention of confirmation mailing notice records.
5:02:03:18	Voter registration statistics.
5:02:03:19	Voter registration address verification notice.
5:02:03:20	Potential duplicate notice.
5:02:03:21	Statement by person registering without a driver license or social security number.
5:02:03:22	Parameters for voter registration verification with driver license records.
5:02:03:23	Parameters for voter registration verification with social security administration records.
5:02:03:24	Notice to removed felons.
<u>5:02:03:25</u>	<u>Adult children of overseas citizens voter registration form.</u>

5:02:03:25. Adult children of overseas citizens voter registration form. The adult children of overseas citizens voter registration form, as approved by the secretary of state, shall contain the following fields:

(1) Name, address, contact information, and personal data;

(2) Party affiliation;

(2) Voter eligibility requirements;

(3) Affirmation of eligibility and identification information; and

(4) Previous South Dakota residency information.

General Authority: SDCL 12-1-9(1)(4).

Law Implemented: SDCL 12-4-3, 12-4-4.4, 12-4-4.11 12-4-5.4, 12-4-6, 12-4-8, 12-4-18.

5:02:03:01. Voter registration form. The voter registration form shall be legibly printed. It is recommended that the form be printed on 90-pound index stock 5 inches wide by 10.5 inches tall and horizontally perforated 7 inches from the top and scored for folding 3.5 inches from the top. The voter registration form shall contain the following information, as approved by the secretary of state, shall contain the following fields:

- (1) Name, address, contact information, and personal data;
- (2) Party affiliation;
- (3) Voter eligibility requirements;
- (4) Affirmation of eligibility and identification information; and
- (5) Previous voter registration information.

~~South Dakota Voter Registration~~

~~Are you a citizen of the United States of America? ☐ Yes ☐ No~~

~~Will you be 18 years of age on or before election day? ☐ Yes ☐ No~~

~~If you checked 'no' in response to either of these questions, do not complete this form.~~

VOTER REGISTRATION for _____ **County, SD**

Name

_____(Last) _____(First)
_____(Middle)

~~Residence Address~~

City _____ State _____ Zip _____

Mailing Address (if different)

City _____ State _____ Zip _____

If residence address is a post office box, rural box, or general delivery, you must give the location _____ of _____ your _____ residence:

Print _____ previous _____ name, _____ if _____ changed:

South Dakota driver license number required: _____

(if you do not have a valid South Dakota driver license, you must give the last four numbers of your social security number): _____

Please register me as a member of the _____ Party.

Birth Date Required: _____ Phone Number: _____

I declare, under penalty of perjury (2 years imprisonment and \$4,000 fine), that: I am a citizen of the United States; I actually live at and have no present intention of leaving the above address; I will be 18 on or before the next election; I have not been judged mentally incompetent; and I am not currently serving a sentence for a felony conviction which included imprisonment, served or suspended, in an adult penitentiary system. I authorize cancellation of my previous registration as written below.

Dated _____ Voter Signature

For county auditor's office use only:

Ward _____ Precinct _____ Water Dist _____ Leg Dist _____ Comm Dist _____ Township _____ School Dist _____
_____ Other _____

(perforated)

~~Previous Voter Registration Information Required~~

~~I wish to be registered as shown above. I was last registered with the following name and address which will be canceled:~~

Name _____

Previous Address _____

City _____ State _____ Zip _____

County _____ Birth Date: _____

Driver license number: _____

Dated _____ Voter Signature _____

~~If the form is printed on index stock, on the reverse of the form above the score must be the following:~~

_____ County Auditor

_____, SD 57 _____

An alternative voter registration form may be printed on an 8.5 inch wide by 11 inch tall paper in the following format:

~~Voter Registration Application for _____ County~~

Use this form to: Register to vote or report a name, address, or party change.

~~Please print. Complete entire form. Return this form to your county auditor.~~

~~_____ The deadline for registration is 15 days before any election. Your form must be received by the auditor by this deadline if you are to vote in the next election. Within 15 days you will receive a notice of your registration. If you do not, contact your county auditor. Any private person or entity registering voters is required to provide you with their contact information.~~

Are you a citizen of the United States of America? ~~☐ Yes ☐ No~~

Will you be 18 years of age on or before election day? ~~☐ Yes ☐ No~~

If you checked 'no' in response to either of these questions, do not complete this form.

Last	First	Middle	Circle one; Jr Sr II III IV	
Residence Address	Apt or Lot #	City/Town	State	Zip
Mailing Address (if different)		City/Town	State	Zip
If residence address is a post office box, rural box, or general delivery, you must give the location of your residence:				
Print previous name, if changed:				

South Dakota Driver License Number Required:		
(if you do not have a valid South Dakota driver license, you must give the last four numbers of your social security number)		
	Birth Date Required:	Phone Number:
Please register me as a member of the _____ Party.		
I declare, under penalty of perjury (2 years imprisonment and \$4,000 fine), that:		
* I am a citizen of the United States;		
* I actually live at and have no present intention of leaving the above address;		
* I will be 18 on or before the next election;		
* I have not been judged mentally incompetent;		
* I am not currently serving a sentence for a felony conviction which included imprisonment, served or suspended, in an adult penitentiary system.		
* I authorize cancellation of my previous registration as written below.		
Dated ____/____/____	Voter Signature:	

For county auditor's office use only:

 Ward _____ Precinct _____ Water _____ Leg _____ Comm _____ Township _____ School _____ Other _____

Previous Voter Registration Information Required			
I wish to be registered as shown above. I was last registered with the following name and address which will be cancelled:			
Last	First	Middle	Circle one: Jr Sr II III IV
Previous Address	City/Town	State	Zip
County:	Birth Date:	Driver's license number	
Dated ____/____/____	Voter Signature:		

Voter registration cards signed prior to January 1, 2009, may be on the form in effect July 17, 2008.

Source: 2 SDR 5, effective July 30, 1975; 5 SDR 31, effective November 1, 1978; 6 SDR 25, effective September 24, 1979; 12 SDR 43, effective September 23, 1985; 14 SDR 19, effective August 9, 1987; 16 SDR 20, effective August 10, 1989; 19 SDR 12, effective August 5, 1992; 21 SDR 77, effective October 24, 1994; 22 SDR 95, effective January 18, 1996; 23 SDR 115, effective January 22, 1997; 25 SDR 167, effective July 6, 1999; 29 SDR 177, effective July 2, 2003; 30 SDR 171, effective May 10, 2004; 31 SDR 214, effective July 4, 2005; 32 SDR 225, effective July 3, 2006; 35 SDR 48, effective September 8, 2008.

General Authority: SDCL 12-1-9(1)(4).

Law Implemented: SDCL 12-4-3, 12-4-5.4, 12-4-6, 12-4-8.

CHAPTER 5:02:10

ABSENTEE VOTING

Section

- [5:02:10:01](#) Application for absentee ballot.
- [5:02:10:01.01](#) Receipt for absentee ballot.
- [5:02:10:01.02](#) Guidelines for acceptance of facsimile absentee ballot applications from UOCAVA voters.
- [5:02:10:01.03](#) Combined absentee ballot application/return envelope.
- [5:02:10:01.04](#) ~~Military and overseas voters absentee ballot application for electronic access.~~ Repealed.
- [5:02:10:02](#) Envelope for transmitting ballot application to superintendent of elections.
- [5:02:10:03](#) Envelope for sending ballots to voter.
- [5:02:10:04](#) Instructions to absentee voters.
- [5:02:10:05](#) Official return envelope for ballots used in voting.
- [5:02:10:06](#) Official record of absentee ballots delivered to voters.
- [5:02:10:07](#) Repealed.
- [5:02:10:08](#) Envelopes for use with voting service and overseas ballots.

5:02:10:01.04. Military and overseas voters absentee ballot application for electronic access. The application for electronic access to an absentee ballot by a military or overseas voter must be in the following form:

~~MILITARY AND OVERSEAS VOTERS ABSENTEE BALLOT APPLICATION~~

~~_____ COUNTY, SOUTH DAKOTA~~

~~REQUEST FOR ELECTRONIC ACCESS~~

~~As a military or overseas voter, you may apply for electronic access to your absentee ballot before 3:00 p.m. on Election Day for any or all primary, general, or special elections conducted by your county in this calendar year with one request. Additional information on absentee voting is available at www.sdsos.gov.~~

~~Check the election(s) for which you are requesting an absentee ballot:~~

~~☐ Primary — If you are registered as an independent and are requesting a primary ballot, you may have a choice of ballots. Please check one of the following: ☐ Non-Political ballot or ☐ Democratic Party ballot~~

~~☐ General~~

~~☐ Special _____~~

~~☐ — If any other election is conducted by this jurisdiction (specify jurisdiction _____) this calendar year, I request an absentee ballot for that election.~~

~~Are you in the Military or Uniformed Services, a Spouse or Dependent of the same, or an Overseas Citizen? Yes ☐ No ☐~~

~~(If you answer "No", do not proceed with the Military and Overseas Voters Absentee Ballot Application. Complete the Application for Absentee Ballot.)~~

~~Are you currently living in the United States? Yes ☐ No ☐~~

~~My printed name as it appears on the voter registration list is:
_____~~

Address		City
1	1000	1000
2	1000	1000
3	1000	1000
4	1000	1000
5	1000	1000
6	1000	1000
7	1000	1000
8	1000	1000
9	1000	1000
10	1000	1000
11	1000	1000
12	1000	1000
13	1000	1000
14	1000	1000
15	1000	1000
16	1000	1000
17	1000	1000
18	1000	1000
19	1000	1000
20	1000	1000
21	1000	1000
22	1000	1000
23	1000	1000
24	1000	1000
25	1000	1000
26	1000	1000
27	1000	1000
28	1000	1000
29	1000	1000
30	1000	1000
31	1000	1000
32	1000	1000
33	1000	1000
34	1000	1000
35	1000	1000
36	1000	1000
37	1000	1000
38	1000	1000
39	1000	1000
40	1000	1000
41	1000	1000
42	1000	1000
43	1000	1000
44	1000	1000
45	1000	1000
46	1000	1000
47	1000	1000
48	1000	1000
49	1000	1000
50	1000	1000
51	1000	1000
52	1000	1000
53	1000	1000
54	1000	1000
55	1000	1000
56	1000	1000
57	1000	1000
58	1000	1000
59	1000	1000
60	1000	1000
61	1000	1000
62	1000	1000
63	1000	1000
64	1000	1000
65	1000	1000
66	1000	1000
67	1000	1000
68	1000	1000
69	1000	1000
70	1000	1000
71	1000	1000
72	1000	1000
73	1000	1000
74	1000	1000
75	1000	1000
76	1000	1000
77	1000	1000
78	1000	1000
79	1000	1000
80	1000	1000
81	1000	1000
82	1000	1000
83	1000	1000
84	1000	1000
85	1000	1000
86	1000	1000
87	1000	1000
88	1000	1000
89	1000	1000
90	1000	1000
91	1000	1000
92	1000	1000
93	1000	1000
94	1000	1000
95	1000	1000
96	1000	1000
97	1000	1000
98	1000	1000
99	1000	1000
100	1000	1000

Country

Contact phone number: _____

~~www.sdsos.gov~~.

stateside military voters are **required** to submit a photocopy of their ID (listed below) with their absentee ballot application. The ID requirement is waived only for overseas voters, which includes overseas military and overseas citizens. Should notarization of the stateside military voter's signature be easier to obtain than a photocopy of the ID, a notarized absentee ballot application may be submitted. The notarization on the absentee

ballot application can be administered by any commissioned officer in the military service of the United States, as per SDCL [18-3-2](#).

An acceptable ID is: ~~• A South Dakota driver's license or non-driver ID card • A passport or other picture ID issued by the United States government • A tribal photo ID • A current student photo ID issued by a South Dakota high school or postsecondary education institution.~~

I hereby verify that I am the person named above and these statements made by me on this application are true and correct _____

_____ Voter Signature

Sworn to before me this _____ day of _____, 20_____.

_____ (Seal) _____

_____ Signature of _____ Officer
Administering Oath

My Commission Expires _____

_____ Title of Officer Administering
Oath

Date Ballot Returned _____

Source: 36 SDR 209, effective June 30, 2010.

~~General Authority:~~ SDCL [12-1-9\(4\)](#), [12-19-2](#).

~~Law Implemented:~~ SDCL [12-18-6.1](#), [12-19-2](#), [12-19-2.1](#), [12-19-2.2](#).

5:02:10:01. Application for absentee ballot. The application for an absentee ballot ~~must be in the following form, as approved by the secretary of state, shall contain the following fields:~~

- ~~(1) Name and address as it appears on voter registration list;~~
- ~~(2) US Mail or electronic mail address for delivery of absentee ballot;~~
- ~~(3) List of elections the voter wishes to receive ballots for;~~
- ~~(4) Notary public information, including seal;~~
- ~~(5) Oath verifying the validity of the information contained in the application or request;~~
- ~~(6) Signature and title of officer administering oath;~~
- ~~(7) Uniformed and Overseas Citizens Absentee Voting Act eligibility information; and~~
- ~~(8) Authorized messenger information.~~

~~APPLICATION FOR ABSENTEE BALLOT~~

~~_____~~ **COUNTY, SOUTH DAKOTA**

~~You may apply for an absentee ballot before 3:00 p.m. on election day for any or all primary, general, or special elections conducted by your county in this calendar year with one request. However, you must make a separate request for municipal elections and another for school elections. Additional information on absentee voting is available at www.sdsos.gov.~~

~~Check the election(s) for which you are requesting an absentee ballot:~~

~~G Primary — If you are registered as an independent and are requesting a primary ballot, you may have a choice of ballots. Please check one of the following: G Non-political ballot or G Democratic Party ballot~~

~~G General~~

~~G Municipal~~

~~G School~~

~~G Special _____ (specify jurisdiction)~~

~~G If any other election is conducted by this jurisdiction this calendar year, I request an absentee ballot for that election.~~

~~If request is for a municipal or school election:~~

~~I have lived in that jurisdiction at least 30 days in the last year. Yes ☐ No ☐~~

~~I am a full-time postsecondary student who resided in that jurisdiction immediately prior to leaving for postsecondary education. Yes ☐ No ☐~~

~~I am on active duty military and my home of record is in that jurisdiction. Yes ☐ No ☐~~

~~Are you in the Military or Uniformed Services, a Spouse or Dependent of the same, or an Overseas Citizen? Yes ☐ No ☐~~

~~Are you currently living in the United States? Yes ☐ No ☐~~

~~My printed name as it appears on the voter registration list is:~~

~~My voter registration residence address is:~~

_____ Address _____ City

~~Mail my ballot to the following address~~

_____ Street Address or PO Box _____ City _____ State _____ Zip

Daytime phone number: _____

~~NOTE: The voter's signature must be witnessed by a notary public or other officer authorized to administer an oath. If the signature is not witnessed, this application must be accompanied by a copy of the voter's valid ID. If you are living outside the United States, these requirements do not apply.~~

~~An acceptable ID is: • A South Dakota driver's license or non-driver ID card • A passport or other picture ID issued by the United States government • A tribal photo ID • A current student photo ID issued by a South Dakota high school or postsecondary education institution.~~

~~I hereby verify that I am the person named above and these statements made by me on this application are true and correct _____~~

Voter Signature

Sworn to before me this _____ day of _____, 20____.

(Seal)

Signature of _____ Officer
Administering Oath

My Commission Expires _____

Title of Officer Administering
Oath

AUTHORIZED MESSENGER REQUEST ONLY

~~I authorize _____ to serve as my authorized messenger to pick up my absentee ballot. I further certify under penalty of law that I am confined because of~~

sickness or disability and for this reason alone am unable to vote at my polling place on Election Day.

Signature of voter

THE AUTHORIZED MESSENGER MUST COMPLETE THE FOLLOWING:

Name: _____ Phone: _____

Address: _____

Are you serving as an authorized messenger for any other voter? Yes ☐ No ☐

I acknowledge receipt of the ballot for the above named voter on _____ at
_____m.

Time Date

Date Ballot Returned: _____

Signature of Authorized
Messenger

Source: 2 SDR 46, effective December 30, 1975; 6 SDR 25, effective September 24, 1979; 8 SDR 24, effective September 16, 1981; 10 SDR 27, effective September 26, 1983; 16 SDR 20, effective August 10, 1989; 16 SDR 203, effective May 28, 1990; 19 SDR 12, effective August 5, 1992; 21 SDR 77, effective October 24, 1994; 23 SDR 115, effective January 22, 1997; 23 SDR 236, effective July 17, 1997; 25 SDR 8, effective August 3, 1998; 25 SDR 167, effective July 6, 1999; 29 SDR 177, effective July 2, 2003; 32 SDR 109, effective December 26, 2005; 32 SDR 225, effective July 3, 2006; 36 SDR 112, effective January 11, 2010; 36 SDR 209, effective June 30, 2010.

General Authority: SDCL [12-1-9\(4\)](#), [12-19-2](#).

Law Implemented: SDCL [9-13-4.1](#), [12-18-6.1](#), [12-19-2](#), [12-19-2.1](#), [12-19-2.2](#),
[13-7-4.2](#).

Electronic Pollbook Security

5:02:17:14. Electronic pollbook security. The ~~pollbook~~ file containing active and inactive registered voter names, numbers, ~~and~~ ballot types and other voter information for an electronic pollbook must be located in the electronic pollbook. The electronic pollbook file may ~~not~~ only be located on a network drive or removable drive if password protected. The electronic pollbook ~~may not~~ shall be connected to a secure ~~the~~ internet or intranet connection.

~~A~~ An electronic pollbook file shall be password protected. The password shall be provided only to the precinct superintendent and person in charge of the election who may not divulge the password to any other person.

No person, other than the ~~election worker~~ precinct election official assigned to operate the electronic pollbook, may be allowed to enter any information into the electronic pollbook.

Following the completion of the recapitulation sheet at the close of the polls, the electronic pollbook file shall be immediately closed so that it is password protected.

The electronic pollbook file may not be reopened prior to the official canvass. If the board of canvassers examines the electronic pollbook file, the board must check the ~~"properties"~~ audit trail of the electronic pollbook file prior to opening the file to determine that the file has not been accessed since the close of the polls.

Source: 35 SDR 306, effective July 1, 2009.

General Authority: SDCL 12-1-9(4).

Law Implemented: SDCL ~~12-8-5~~, 12-16-28, 12-18-5.