South Dakota Secretary of State

Monae L. Johnson
Secretary of State

Thomas J. Deadrick
Deputy Secretary of State

For Immediate Release: January 6, 2026
Contact: SOS.Media@state.sd.us

SECRETARY OF STATE ANNOUNCES LEGISLATION FOR THE 2026 LEGISLATIVE SESSION

(Pierre, S.D.) – Secretary of State Monae L. Johnson announces that the Secretary of State's office has proposed a package of legislation for the 2026 Legislative Session that includes bills to introduce new systems, improve transparency, clean up election statutes, and streamline the election process. "This legislation demonstrates my office's commitment to improving elections in South Dakota by introducing new systems, addressing concerns brought forward by election officials, and cleaning up the state's election laws," said Secretary Johnson.

SB 28: An Act to permit the use of a ballot on demand system and to declare an emergency. Due to the extremely short turnaround time between when nominating petitions must be submitted and primary election ballots must be in the possession of election officials prior to the beginning of absentee voting, many election officials have expressed an interest in using ballot on demand systems to ensure that absentee voting can begin on time. This bill will allow these election officials to authorize the use of ballot on demand systems within their respective jurisdictions.

SB 29: An Act to amend provisions pertaining to the tabulation of ballots and permit the release of any cast vote record and collection of ballot images produced by automatic tabulating equipment and to declare an emergency. There is growing interest in allowing county auditors to release cast vote records (CVRs) and ballot images to the public; however, the Office of Hearing Examiners has ruled that CVRs and ballot images are not public records. This bill will provide a new pathway for CVRs and ballot images to be released by county auditors while still protecting voter privacy.

SB 30: An Act to amend the reasons for challenging an individual's eligibility to vote. While non-citizen voting is not an issue in South Dakota, there is still interest in having a process in place to ensure that non-citizens can be removed from the voter rolls if they are ever found to be registered. This bill will allow a new process to be established for the registration of any non-citizen to be challenged and for the challenged voter to be removed from the voter rolls.

SB 31: An Act to permit the use of a confirmation letter to verify a voter's registration. Under current voter registration list maintenance statutes, county auditors are required to use a double-sided postcard when trying to confirm a voter's registration information and/or address. A number of county auditors have expressed an interest in using letters, rather than postcards, when performing voter registration list maintenance in order to save money and simplify the process for their offices. This bill will allow county auditors to use confirmation letters instead of postcards as they see fit.

SB 32: An Act to amend and repeal provisions pertaining to the ballot requirements for certain elections and to declare an emergency. There are a few sections within Title 12 that require a separate ballot to be used for certain election contests at a primary or general election; however, the practice since the 1990s has been to have all contests on the same ballot. This bill will clean up Title 12 to align with the practice that has been in place for decades.

HB 33: An Act to modify the number of signatures required on certain election-related petitions. Currently, the number of signatures required for candidates, political parties, and ballot questions to receive ballot access is based on the number of votes cast for Governor, which is difficult to calculate in many jurisdictions. This bill will simplify signature requirements and make them easier to determine by basing them on the number of registered voters, rather than the number of votes cast in a specific contest.

HB 34: An Act to amend provisions pertaining to conducting a municipal or school district election and to declare an emergency. HB 1130 (2025) modified provisions related to municipal and school district elections, requiring that they be held on the same day as the June primary election or the November general election. This bill addresses issues that have been raised by local election officials as they work to implement the provisions of HB 1130 (2025), which will help this year's local elections go smoothly.

The full text of each bill proposed by the Secretary of State's office can be found on the Legislative Research Council's website at https://sdlegislature.gov/Session/Bills/71.