Chapter 5:02:03

Forms for Registration

Sec.

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 ~~7~~ 10.5 inches ~~in total size~~ tall and horizontally perforated seven inches from the top ~~in the middle~~ and scored for folding 3.5 inches from the top. The voter registration form shall ~~be as follows~~ contain the following 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 _____

Mailing Address (if different) _____

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

_____

Print previous name, if changed: _____

Driver's license number (if you do not have a valid driver's license, you must give the last four numbers of your social security number): _____   State of driver's license issue: ___

Please register me as a member of the _____ Party.

Birth Date: _____   Phone Number: _____

I declare, under penalty of perjury (5 years imprisonment and $5,000 fine), that: I am a citizen of the United States; I maintain my home at the above address; I will be 18 on or before the next election; I have not been judged mentally incompetent; and I am not ~~under~~ currently serving a sentence ~~of imprisonment~~ for a felony conviction which included imprisonment, served or

suspended, in an adult penitentiary system. I authorize cancellation of my current registration as indicated below.

Dated _____ Voter Signature _____

For county auditor's office use only:

____ _____ _____ _____ _____ _____ _____ _____
Ward Precinct   Water Dist Leg Dist Comm Dist Township School Dist   Other
                                      (perforated)
                    Voter Registration Cancellation
I wish to be registered as shown above. I was last registered with the following name and address which will be cancelled:
Name_____
Previous Address_____
City_____ State_____ Zip_____
County_____ Birth Date: _____
Driver's license number: _____
Dated_____ Voter Signature_____

If the form is printed on index stock, to the right of the perforation 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.

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:

Driver's License Number (if you do not have a valid driver's license, you must give the last four numbers of your social security number):	State of driver's license issue:
	Birth Date: / Phone Number:

Please register me as a member of the _____ Party.

I declare, under penalty of perjury (5 years imprisonment and $5,000 fine), that:

* I am a citizen of the United States;

* I maintain my home at 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 current registration as indicated below.

Dated ____/____/_____   Voter Signature:

For county auditor's office use only:

Ward	Precinct	Water	Leg	Comm	Township	School	other
_____	_____	_____	_____	_____	_____	_____	___ ___

Voter Registration Cancellation

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:

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.

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.
General Authority: SDCL 12-1-9(1).
Law Implemented: SDCL 12-4-6, 12-4-8.

5:02:03:01.01. Prohibited reasons for denying right to register.

~~A person may not be denied the right to register to vote for failure to provide a driver's license number, a birth date, or a telephone number~~ <u>Repealed</u>.

Source: 19 SDR 12, effective August 5, 1992; 21 SDR 77, effective October 24, 1994; 23 SDR 115, effective January 22, 1997; 25 SDR 8, effective August 3, 1998.
~~General Authority: SDCL 12-4-35.~~
~~Law Implemented: SDCL 12-4-6, 12-4-8.~~

5:02:03:12. Agency voter registration instructions

The declination form and instructions attached to each voter registration form used by an agency which provides food stamps; ~~aid to families with dependent children (AFDC)~~ <u>temporary assistance for needy families (TANF)</u>; the women, infants, and children nutrition program (WIC); military recruitment; or assistance to the disabled as provided by the Department of Human Services must be in the following form:

South Dakota Agency Voter Registration Form

If you are (bold) **not registered** (unbold) to vote where you live now, would you like to apply to register to vote here today? Yes_____ No_____

If you do not check either box, you will be considered to have decided not to register to vote at this time.

If you would like help filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.

If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Secretary of State, 500 E. Capitol, Pierre, SD 57501, 605-773-3537.

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

You can use this form to:
  * Register to vote in South Dakota
  * Change your registration name or address
  * Change your party affiliation

To register to vote in South Dakota, you must:
  * Be a United States citizen
  * Reside in South Dakota
  * Be at least 18 years old on or before the next election
  * Not be ~~under~~ <u>currently serving</u> a sentence ~~of imprisonment~~ for a felony conviction <u>which included imprisonment, served or suspended, in an adult penitentiary system</u>
  * Not be judged mentally incompetent by a court of law

To register, please complete the entire registration card by printing the requested information. If you are currently registered to vote, please also fill out the attached cancellation card. Return the registration card to the County Auditor in your county of residence or to your local ~~AFDC~~ TANF, food stamp, WIC, military recruitment, or Department of Human Services office. (Bold) **The deadline for registration is 15 days before any election.** (Bold)

~~(Bold)~~ You will receive a notice from your county auditor that your registration has been received. If you do not receive this notice within 15 days, please contact your county auditor. ~~(Unbold)~~

Source: 21 SDR 77, effective October 24, 1994; 23 SDR 115, effective January 22, 1997.
General Authority: SDCL 12-4-35.
Law Implemented: SDCL 12-4-2.

5:02:03:13. Voter registration instructions

The instructions attached to each voter registration form other than those used in the county auditor's office, the alternative form provided in § 5:02:03:01, or those used by agencies listed in § 5:02:03:12 must be in the following form:

<div align="center">

South Dakota Voter Registration Form

</div>

Please follow these instructions carefully to ensure that your voter registration is properly completed.

You can use this form to:
   * Register to vote in South Dakota
   * Change your registration name or address
   * Change your party affiliation

To register to vote in South Dakota, you must:
   * Be a United States citizen
   * Reside in South Dakota
   * Be at least 18 years old on or before the next election
   * Not be ~~under~~ currently serving a sentence ~~of imprisonment~~ for a felony conviction which included imprisonment, served or suspended, in an adult penitentiary system
   * Not be judged mentally incompetent by a court of law

To register, please complete the entire registration card by printing the requested information. If you are currently registered to vote, please also fill out the attached cancellation card. Return the registration/cancellation card to the County Auditor in your county of residence. (Bold)**The deadline for registration is 15 days before any election. Your card must be received by the auditor by this deadline if you are to vote in the next election.** (Unbold)

~~(Bold) You will receive a notice from your county auditor that your registration has been received. If you do not receive this notice within 15 days, please contact your county auditor. (Unbold)~~

Within 15 days you will receive a notice of your registration. If you do not, contact your county auditor.

Source: 21 SDR 77, effective October 24, 1994; 23 SDR 115, effective January 22, 1997.
General Authority: SDCL 12-4-35.
Law Implemented: SDCL 12-4-2; 12-4-3.

5:02:03:21.   Statement by person registering without a driver's license or social security number.

The statement which must be signed by a person registering to vote who does not have a driver's license or social security number shall be in the following form:

Statement by Person Registering Without a Driver's License or Social Security Number

I, _____ (print complete name), under oath, declare that I do not have a valid driver's license and that I have not been issued a social security number. Because I do not have a driver's license or social security number, my voter registration form is blank in the spot requiring such number.

(Signed) _____
Sworn to before me this _____ day of _____, 20___.
     (Seal)
                                          _____
                                          Signature of County Auditor

Source:
General Authority: SDCL 12-4-5.4.
Law Implemented: SDCL 12-4-5.4.

Chapter 5:02:05

Forms for Conduct of Elections

5:02:05:02. Instructions to the voters using hand-counted paper ballots.

Prior to January 1, 2004, the instructions to the voters using hand counted paper ballots may follow the specifications provided in this section that were in effect on November 28, 2001.

The instructions to be posted in three locations in the polling place in at least 48 point type for paper ballots must be in the following form:

INSTRUCTIONS TO THE VOTERS

TO MARK THE BALLOT

Use a cross (X) or a check mark (✔) for each vote.
~~DO NOT~~ Do not make any marks other than a cross (X) or check mark (✔).
~~DO NOT~~ Do not erase anything on your ballot.
~~DO NOT~~ Do not rip your ballot or make holes in it.
~~DO NOT~~ Do not write in a name.

IF YOU MAKE A MISTAKE

If you make a mistake ~~on your ballot or change your mind~~, give the ballot ~~it~~ back and get a new one.

If you cast more votes than allowed in a race, give the ballot back and get a new one.

TO RETURN THE BALLOT(S) AFTER VOTING

Fold each ballot so the ballot stamp shows and take to the ballot box.

IF YOU NEED HELP, ASK.

PROVISIONAL BALLOT

You may vote a provisional ballot if your name is not on the voter list but you registered in this precinct by the deadline. You must complete both the envelope and ballot.

VOTING RIGHTS

Any voter who can't mark a ballot because the voter has a physical disability or can't read, may ask any person they choose to help them vote.
Any voter may ask for instruction in the proper procedure for voting.
Any voter at the polling place prior to 7:00 p.m. is allowed to cast a ballot.

ELECTION CRIMES

Anyone who makes a false statement when they vote, tries to vote knowing they are not a qualified voter, or tries to vote more than once has committed an election crime.

OTHER INFORMATION

The polls are open from 7:00 a.m. to 7:00 p.m. If your voting rights have been violated, you may call the person in charge of the election at _____, the Secretary of State at 888-703-5328, or your state's attorney.

The instructions to be posted in each voting booth for paper ballots must be in the following form:

<u>INSTRUCTIONS TO THE VOTERS</u>

TO MARK THE BALLOT

Use a cross (X) or a check mark (✓) for each vote.
Do not make any marks other than a cross (X) or check mark (✓).
Do not erase anything on your ballot.
Do not rip your ballot or make holes in it.
Do not write in a name.

IF YOU MAKE A MISTAKE

If you make a mistake, give the ballot back and get a new one.

If you cast more votes than allowed in a race, give the ballot back and get a new one.

TO RETURN THE BALLOT(S) AFTER VOTING

Fold each ballot so the ballot stamp shows and take to the ballot box.

IF YOU NEED HELP, ASK.

Source: 2 SDR 5, effective July 30, 1975; 2 SDR 82, effective June 13, 1976; 5 SDR 31, effective November 1, 1978; 6 SDR 25, effective September 24, 1979; 12 SDR 43, effective September 23, 1985; 23 SDR 236, effective July 17, 1997; 25 SDR 167, July 6, 1999; 27 SDR 146, effective July 9, 2001; 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-1-9(9).
Law Implemented: SDCL 12-16-23.

5:02:05:02.01 Instructions to the voters using optical scan ballots.

Prior to January 1, 2004, the instructions to the voters using optical scan ballots may follow the specifications provided in this section that were in effect on November 28, 2001.

The instructions to be posted in three locations in the polling place in at least 48 point type for optical scan ballots must be in the following form:

INSTRUCTIONS TO THE VOTERS

TO MARK THE BALLOT

Fill in the oval (●) or finish the arrow with a dark line (▯▯▯▯➔) next to the name or ballot question. Use only the pencil or marker given to you!
~~DO NOT~~ Do not make any marks other than filling the oval or finishing the arrow.
~~DO NOT~~ Do not erase anything on your ballot.
~~DO NOT~~ Do not rip your ballot or make holes in it.
~~DO NOT~~ Do not write in a name.

IF YOU MAKE A MISTAKE

If you make a mistake, give the ballot ~~it~~ back and get a new one.

If you cast more votes than allowed in a race, give the ballot back and get a new one.

TO RETURN THE BALLOT AFTER VOTING

Put the ballot in the holder so the ballot stamp shows and take to the ballot box.

IF YOU NEED HELP, ASK.

PROVISIONAL BALLOT

You may vote a provisional ballot if your name is not on the voter list but you registered in this precinct by the deadline. You must complete both the envelope and ballot.

VOTING RIGHTS

Any voter who can't mark a ballot because the voter has a physical disability or can't read, may ask any person they choose to help them vote.
Any voter may ask for instruction in the proper procedure for voting.
Any voter at the polling place prior to 7:00 p.m. is allowed to cast a ballot.

ELECTION CRIMES

Anyone who makes a false statement when they vote, tries to vote knowing they are not a qualified voter, or tries to vote more than once has committed an election crime.

OTHER INFORMATION

The polls are open from 7:00 a.m. to 7:00 p.m. If your voting rights have been violated, you may call the person in charge of the election at_____, the Secretary of State at 888-703-5328, or your state's attorney.

The instructions to be posted in each voting booth for optical scan ballots must be in the following form:

INSTRUCTIONS TO THE VOTERS

TO MARK THE BALLOT

Fill in the oval (●) or finish the arrow with a dark line (□□□□➔) next to the name or ballot question. Use only the pencil or marker given to you!
Do not make any marks other than filling the oval or finishing the arrow.
Do not erase anything on your ballot.
Do not rip your ballot or make holes in it.
Do not write in a name.

IF YOU MAKE A MISTAKE

If you make a mistake, give the ballot back and get a new one.

If you cast more votes than allowed in a race, give the ballot back and get a new one.

TO RETURN THE BALLOT AFTER VOTING

Put the ballot in the holder so the ballot stamp shows and take to the ballot box.

IF YOU NEED HELP, ASK.

Printers note: Adapt the first paragraph to only include instructions for your type of ballot.

Source: 27 SDR 146, effective July 9, 2001; 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-1-9(9).
Law Implemented: SDCL 12-16-23.

5:02:05:02.02 Instructions to the voters using punchcard ballots.

Prior to January 1, 2004, the instructions to the voters using punchcard ballots may follow the specifications provided in this section that were in effect on November 28, 2001.

The instructions to be posted in three locations in the polling place in at least 48 point type for punchcard ballots must be in the following form:

INSTRUCTIONS TO THE VOTERS

TO MARK THE BALLOT

Punch the hole through the card using the punch given you. The hole will be next to the arrow for the name or ballot question.
~~DO NOT~~ Do not make any mark.
~~DO NOT~~ Do not write in a name.
~~DO NOT~~ Do not rip your ballot.

IF YOU MAKE A MISTAKE

If you make a mistake ~~on your ballot or change your mind give it~~ , give the ballot back and get a new one.

If you cast more votes than allowed in a race, give the ballot back and get a new one.

TO RETURN THE BALLOT AFTER VOTING

Check your ballot card to see that each hole is punched out.

Put the ballot in the folder so the ballot stamp shows and take to the ballot box.

IF YOU NEED HELP, ASK.

PROVISIONAL BALLOT

You may vote a provisional ballot if your name is not on the voter list but you registered in this precinct by the deadline. You must complete both the envelope and ballot.

VOTING RIGHTS

Any voter who can't mark a ballot because the voter has a physical disability or can't read, may ask any person they choose to help them vote.
Any voter may ask for instruction in the proper procedure for voting.
Any voter at the polling place prior to 7:00 p.m. is allowed to cast a ballot.

ELECTION CRIMES

Anyone who makes a false statement when they vote, tries to vote knowing they are not a qualified voter, or tries to vote more than once has committed an election crime.

OTHER INFORMATION

The polls are open from 7:00 a.m. to 7:00 p.m. If your voting rights have been violated, you may call the person in charge of the election at _____, the Secretary of State at 888-703-5328, or your state's attorney.

The instructions to be posted in each voting booth for punchcard ballots must be in the following form:

INSTRUCTIONS TO THE VOTERS

TO MARK THE BALLOT

Punch the hole through the card using the punch given you. The hole will be next to the arrow for the name or ballot question.
Do not make any mark.
Do not write in a name.
Do not rip your ballot.

IF YOU MAKE A MISTAKE

If you make a mistake, give the ballot back and get a new one.

If you cast more votes than allowed in a race, give the ballot back and get a new one.

TO RETURN THE BALLOT AFTER VOTING

Check your ballot card to see that each hole is punched out.

Put the ballot in the folder so the ballot stamp shows and take to the ballot box.

IF YOU NEED HELP, ASK.

Source: 27 SDR 146, effective July 9, 2001; 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-1-9(9).
Law Implemented: SDCL 12-16-23.

5:02:05:22. Provisional ballot envelope.

The provisional ballot envelope shall be blue and in the following form:

Voter's Affirmation for a Provisional Ballot

My voter registration was completed on or about the following date and was left with the following person or agency for delivery to the county auditor: _____
_____.
My name is _____, I reside at _____,
my mailing address is _____, my daytime telephone number
is _____ and my evening telephone number is _____.

I understand if the election authority determines that I am not registered and therefore not eligible to vote in this precinct, my vote will not be counted. I further understand that my vote may not be secret if only one provisional ballot is cast in the precinct. I swear or affirm under penalty of perjury that I registered and am eligible to vote in this precinct.

_____   _____
Signature of Voter   Date

To be completed by a precinct election worker:

Precinct number _____

_____
Signature of precinct worker

Source:

General Authority: SDCL 12-18-40.
Law Implemented: SDCL 12-18-40.

5:02:05:23.   Notice to provisional voter.

The notice handed to a provisional voter shall be in the following form:

<div align="center">Provisional Ballot</div>

You will be sent a notice within 13 days whether your ballot was counted or not counted. If the ballot was not counted, you will be told of the reason.

Source:
General Authority: SDCL 12-18-40, 12-20-13.4, 12-1-9(3).
Law Implemented: SDCL 12-18-40, 12-20-13.4, 12-1-9(3).

5:02:05:24.   Notice of provisional ballot determination.

The notice sent to the mailing address of a person who has cast a provisional ballot shall contain:

  (1) Voter's name;
  (2) Voter's mailing address;
  (3) Election at which the ballot was cast;
  (4) Whether the ballot was counted;
  (5) If the ballot was not counted, the reason why it was not counted; and
  (6) A telephone number for further information.

Source:
General Authority: SDCL 12-20-13.4.
Law Implemented: SDCL 12-20-13.4.

5:02:05:25. Personal identification affidavit.

The personal identification affidavit to be signed by a voter at the polling place who does not have personal identification shall be in the following form:

I declare, under penalty of perjury, that my name is listed as _____
on the official voter registration list, that I am that person, and that I currently reside at
_____. The maximum penalty for perjury is 5 years imprisonment and a $5,000 fine.

Dated _____   Voter Signature _____

Source:
General Authority: SDCL 12-18-6.2.
Law Implemented: SDCL 12-18-6.2.

Chapter 5:02:06

Ballot Forms and Color

Sec.
 5:02:06:01.   General election.

5:02:06:01. General election.

The general election ballot must be white and must be in the following form, as applicable:

OFFICIAL GENERAL ELECTION BALLOT
_____ County, South Dakota
November _____, _____

To vote use a cross (X) or check mark (✓) in the square in front of the name (or group). <u>DO NOT cast more votes than are allowed in each race.</u>

REPUBLICAN PARTY	**DEMOCRATIC PARTY**		**INDEPENDENT CANDIDATES**
For PRESIDENTIAL ELECTORS, you may vote for <u>one</u> slate or leave it blank			
☐ Doe & Roe Electors	☐ Doe & Roe Electors	☐ Doe & Roe Electors	☐ Doe & Roe Electors
John Doe, ~~Rapid City~~	John Doe, ~~Rapid City~~	affiliated with the	affiliated with
Jane Doe, ~~Brookings~~	Jane Doe, ~~Brookings~~	_____ Party	no Party
John Doe, ~~Mitchell~~	John Doe, ~~Mitchell~~	John Doe, ~~Rapid City~~	John Doe, ~~Rapid City~~

Jane Doe, Brookings   Jane Doe, Brookings
John Doe, Mitchell   John Doe, Mitchell

For UNITED STATES SENATOR, you may vote for <u>one</u> or leave it blank

☐ John Doe, Yankton   ☐ John Doe, Yankton   ☐ John Doe, Yankton   ☐ John Doe, Yankton

affiliated with the _____ Party   affiliated with the _____ Party

---

For UNITED STATES REPRESENTATIVE, you may vote for <u>one</u> or leave it blank

☐ Jane Doe, Sioux Falls   ☐ Jane Doe, Sioux Falls   ☐ Jane Doe, Sioux Falls

affiliated with the _____ Party

For GOVERNOR AND LIEUTENANT GOVERNOR, TO BE ELECTED AS A TEAM, you may vote for <u>one</u> or leave it blank

☐ John Doe, Kadoka

for GOVERNOR
and
Jane Doe, Forestburg
for LIEUTENANT GOVERNOR

☐ John Doe, Kadoka

for GOVERNOR
And
Jane Doe, Forestburg
for LIEUTENANT GOVERNOR

☐ John Doe, Kadoka

affiliated with the
_____ Party
for GOVERNOR
and
Jane Doe, Forestburg
affiliated with the
_____ Party
for LIEUTENANT GOVERNOR

For SECRETARY OF STATE, you may vote for <u>one</u> or leave it blank

☐ John Doe, Ft.   ☐ John Doe, Ft.   ☐ John Doe, Ft.

Pierre   Pierre   Pierre

affiliated with the _____ Party

For ATTORNEY GENERAL, you may vote for <u>one</u> or leave it blank

☐ Jane Doe, Britton   ☐ Jane Doe, Britton   ☐ Jane Doe, Britton

affiliated with the _____ Party

For STATE AUDITOR, you may vote for <u>one</u> or leave it blank

☐ John Doe, Canton   ☐ John Doe, Canton   ☐ John Doe, Canton

affiliated with the _____ Party

For STATE TREASURER, you may vote for <u>one</u> or leave it blank

☐ Jane Doe, Lead   ☐ Jane Doe, Lead   ☐ Jane Doe, Lead

affiliated with the _____ Party

For COMMISSIONER OF SCHOOL AND PUBLIC LANDS, you may vote for <u>one</u> or leave it blank

☐ John Doe, Summit   ☐ John Doe, Summit   ☐ John Doe, Summit

affiliated with the _____ Party

For PUBLIC UTILITIES COMMISSIONER, you may vote for <u>one</u> or leave it blank

☐ Jane Doe, ~~Parker~~   ☐ Jane Doe, ~~Parker~~   ☐ Jane Doe, ~~Parker~~
affiliated with the
_____ Party

For STATE SENATOR, District __, you may vote for <u>one</u> or leave it blank

☐ John Doe   ☐ John Doe   ☐ John Doe, affiliated
with the _____ Party

For STATE REPRESENTATIVES, District __, you may vote for up to <u>two</u> or leave it blank

☐ Jane Doe

☐ Jane Doe

☐ Jane Doe, affiliated
with the _____ Party

☐ John Doe

☐ John Doe

☐ John Doe, affiliated
with the _____ Party

For COUNTY TREASURER, you may vote for <u>one</u> or leave it blank

☐ Jane Doe   ☐ Jane Doe   ☐ Jane Doe, affiliated
with the _____ Party

For COUNTY AUDITOR, you may vote for <u>one</u> or leave it blank

☐ John Doe   ☐ John Doe   ☐ John Doe, affiliated
with the _____ Party

For STATES ATTORNEY, you may vote for <u>one</u> or leave it blank

☐ Jane Doe   ☐ Jane Doe   ☐ Jane Doe, affiliated
with the _____ Party

For SHERIFF, you may vote for <u>one</u> or leave it blank

☐ John Doe   ☐ John Doe   ☐ John Doe, affiliated
with the _____ Party

For REGISTER OF DEEDS, you may vote for <u>one</u> or leave it blank

☐ Jane Doe   ☐ Jane Doe   ☐ Jane Doe, affiliated
with the _____ Party

For CORONER, you may vote for <u>one</u> or leave it blank

☐ John Doe   ☐ John Doe   ☐ John Doe, affiliated
with the _____ Party

For COUNTY COMMISSIONER, District __, you may vote for <u>one</u> or leave it blank

☐ Jane Doe   ☐ Jane Doe   ☐ Jane Doe, affiliated
with the _____ Party

For COUNTY COMMISSIONER AT LARGE, you may vote for up to ____ or leave it blank

☐ John Doe

        ☐ John Doe

               ☐ John Doe, affiliated
                  with the _____ Party

☐ Jane Doe

        ☐ Jane Doe

               ☐ Jane Doe, affiliated
                  with the _____ Party

Printing note: If two or more candidates for state representative or county commission are to be elected at large, candidates' names on that portion of the ballot may not be placed directly opposite each other, but must be staggered as shown above.

Source: 2 SDR 5, effective July 30, 1975; 2 SDR 46, effective December 30, 1975; 6 SDR 25, effective September 24, 1979; 8 SDR 24, effective September 16, 1981; 12 SDR 43, effective September 23, 1985; 19 SDR 12, effective August 5, 1992; 22 SDR 95, effective January 18, 1996; 23 SDR 236, effective July 17, 1997; 27 SDR 146, effective July 9, 2001; 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-1-9(2).
Law Implemented: SDCL 12-16-2.1, 12-16-9, 12-16-10.

5:02:06:01.02. Optical scan ballot instructions.

The instructions to voters found on optical scan ballots shall be enclosed in a box. The appropriate instructions shall be placed at the top of the first column containing presidential electors, at the beginning of the portion containing other candidates and at the beginning of the portion containing ballot questions. The instructions for all elections must be in either of the following forms:

> To vote for a group of presidential electors fill in the oval (●) next to the names. To vote for a person fill in the oval (●) next to the name.
> To vote on a ballot question fill in the oval (●) next to "yes" or "no".
> Use only a pencil or marker.
> <u>DO NOT cast more votes than are allowed in each race.</u>

or

> To vote for a group of presidential electors finish the arrow with a dark line (▯▯▯▯➜). next to the names.
> To vote for a person finish the arrow with a dark line(▯▯▯▯➜) next to the name.
> To vote on a ballot question finish the arrow with a dark line (▯▯▯▯➜) next to "yes" or "no".
> Use only a pencil or marker.
> <u>DO NOT cast more votes than are allowed in each race.</u>

Printers note: The instruction to "Use only a pencil or marker." should be included in the first instruction box only. Use either "pencil" or "marker" which ever is correct for your system. If the ballot has columns, the words "Go to top of next column" should be printed on the bottom of any column preceding each column to be voted. If the ballot has races on the back side, the words "Turn page" should be printed in the lower right corner.

5:02:06:01.03. Optical scan ballot political party notation.

The full name of each candidate's political party shall be printed next to or below the candidate's name on optical scan general election ballots.

5:02:06:03. Judiciary.

The judiciary ballots must be buff or tan and must be in the following form:

<div align="center">

OFFICIAL NONPOLITICAL JUDICIARY BALLOT
_____ County, South Dakota
(Election Date)

</div>

To vote use a cross (X) or check mark (✓) in the square in front of the name. DO NOT cast more votes than are allowed in each race.

FOR JUDGE OF THE CIRCUIT COURT
_____ Circuit, Position _____
You may vote for one or leave it blank:
☐ John Jones
☐ Joan Ray

5:02:06:09. Party precinct committeeman and committeewoman.

The official primary ballot for precinct committeeman and committeewoman must be in the following form:

<div align="center">

_____ PARTY
_____ Precinct, _____ County, South Dakota,
June ___, _____

</div>

To vote use a cross (X) or check mark (✓) in the square in front of the name. <u>DO NOT cast more votes than are allowed in each race.</u>

For precinct committeeman, you may vote for <u>one</u> or leave it blank

☐ John Doe   ☐ Richard Roe

For precinct committeewoman, you may vote for <u>one</u> or leave it blank

☐ Jane Doe   ☐ Mary Roe

Source: 2 SDR 46, effective December 30, 1975; 25 SDR 8, effective August 3, 1998; 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-1-9(2).
Law Implemented: SDCL 12-5-8.

5:02:06:10. Primary.

The color of the primary election ballot must be blue for the Democratic party, ~~tan for the Libertarian Party, and~~ white for the Republican party, <u>and a different color as certified by the Secretary of State for any other party</u>. The ballot must be in the following form, as applicable:

<div align="center">

_____ PARTY
OFFICIAL PRIMARY ELECTION BALLOT
_____ COUNTY, SOUTH DAKOTA
JUNE ___, _____

</div>

To vote use a cross (X) or check mark (✓) in the square in front of the name. <u>DO NOT cast more votes than are allowed in each race.</u>

For United States Senator, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____
For United States Representative, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____
For Governor, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____
For State Senator, District ___, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____
For State Representative, District ___, you may vote for up to <u>two</u> or leave it blank
☐ _____
☐ _____
For County Treasurer, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____
For County Auditor, you may vote for <u>one</u> or leave it blank
☐ _____

☐ _____
For States Attorney, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____
For Sheriff, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____
For Register of Deeds, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____
For Coroner, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____
For County Commission, District ___, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____
For County Commissioner at Large, you may vote for up to ____ or leave it blank
☐ _____
☐ _____
For Delegates to State Convention, you may vote for up to ____ or leave it blank
☐ _____
☐ _____

Printing note: For county commissioners at large or delegates to state convention, use the correct number designations for the number of candidates to be elected.

Source: 2 SDR 46, effective December 30, 1975; 4 SDR 85, effective June 14, 1978; 5 SDR 31, effective November 1, 1978; 6 SDR 25, effective September 24, 1979; 8 SDR 31, effective October 1, 1981; 10 SDR 27, effective September 26, 1983; 14 SDR 19, effective August 9, 1987; 16 SDR 20, effective August 10, 1987; 23 SDR 115, effective January 22, 1997; 23 SDR 236, effective July 17, 1997; 25 SDR 8, effective August 3, 1998; 27 SDR 146, effective July 9, 2001; 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-1-9(2).
Law Implemented: SDCL ~~12-5-3.8,~~ 12-6-14, 12-16-2.1.

5:02:06:10.02. Presidential primary.

If a presidential primary is to be included on the primary ballot, the secretary of state may determine the layout of ballots depending on the number of slates of delegates certified by a political party or the number of qualified candidates for the presidential nomination. Primaries for other offices follow the presidential primary on the same ballot. The form for the Republican and Democratic presidential primaries is as follows:

(1) The Republican presidential primary ballot may be in the following form:

```
                   REPUBLICAN PARTY
             OFFICIAL PRIMARY ELECTION BALLOT


              _____ County, South Dakota
                 June _____ , 20 _____


_____
               PRESIDENTIAL DELEGATES AND ALTERNATES
To vote use a cross (X) or check mark (✔) in the circle above the names. You
may vote for one or leave it blank. DO NOT cast more votes than are allowed
in each race.
```

```
            O                         O                         O
Candidates Preferring     Candidates Preferring     Candidates Preferring
_____      _____      _____
for President             for President             for President

Delegates:                Delegates:                Delegates:
--------------------      --------------------      --------------------
--------------------      --------------------      --------------------
Alternates:               Alternates:               Alternates:
--------------------      --------------------      --------------------
--------------------      --------------------      --------------------
```

        (2) The Democratic presidential primary ballot may be in the following
form:

```
                        DEMOCRATIC PARTY
                OFFICIAL PRIMARY ELECTION BALLOT
                _____ County, South Dakota
                    June _____ , 20 ____

                    PRESIDENTIAL CANDIDATES
```
To vote use a cross (X) or check mark (✔) in the circle above the name. You
may vote for <u>one</u> or leave it blank. <u>DO NOT cast more votes than are allowed in
each race.</u>

```
            O                         O                         O
--------------------      --------------------      --------------------
for President             for President             for President
```

Source: 14 SDR 19, effective August 9, 1987; 16 SDR 20, effective August 10, 1989; 23 SDR
236, effective July 17, 1997; 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-1-9(2).
Law Implemented: SDCL 12-5-3.6, 12-5-3.7, 12-5-3.8, 12-5-3.14.

5:02:06:12. Municipal election.

   The municipal election ballot must be white and must be in the following form:

OFFICIAL MUNICIPAL ELECTION BALLOT
_____ , SOUTH DAKOTA
(Election Date)

To vote use a cross (X) or check mark (✔) in the square in front of the name. <u>DO NOT cast more
votes than are allowed in each race.</u>

For Mayor, you may vote for <u>one</u> or leave it blank.

        ☐ John Doe
        ☐ Richard Roe

For City Commission, _____ year term, you may vote for up to _____ or leave it blank

        ☐ John Doe
        ☐ Richard Roe
        ☐ John Smith

Source: 2 SDR 46, effective December 30, 1975; 4 SDR 26, effective October 27, 1977; 14 SDR 19, effective August 9, 1987; 25 SDR 8, effective August 3, 1998; 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-1-9(2).
Law Implemented: SDCL 9-13-21.

5:02:06:15. School board election.

The school board election ballot must be white and must be in one of the following forms:

OFFICIAL SCHOOL BOARD ELECTION BALLOT
_____ SCHOOL DISTRICT NO. _____ , SOUTH DAKOTA
(Election Date)

To vote use a cross (X) or check mark (✓) in the square in front of the name. <u>DO NOT cast more votes than are allowed in each race.</u>

School Board Member _____ year term, you may vote for up to ____ or leave it blank.

☐ John Doe
☐ Richard Roe
☐ John Smith

Source: 4 SDR 26, effective October 27, 1977; 14 SDR 19, effective August 9, 1987; 22 SDR 95, effective January 18, 1996; 25 SDR 8, effective August 3, 1998; 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-1-9(2).
Law Implemented: SDCL 13-7-13.

5:02:06:17. Ballot for statewide secondary election.

The ballot for a statewide secondary election must be blue for the democratic party and white for the republican party and must be in the following form if applicable:

_____PARTY
OFFICIAL SECONDARY ELECTION BALLOT
_____ COUNTY, SOUTH DAKOTA
June _____ , ____

To vote use a cross (X) or check mark (✓) in the square in front of the name. <u>DO NOT cast more votes than are allowed in each race.</u>

For United States Senator, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____

For United States Representative, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____

For Governor, you may vote for <u>one</u> or leave it blank
☐ _____
☐ _____

5:02:06:19. Nonpolitical consumers power district election.

The nonpolitical consumers power district election ballot must be green and must be in the following form:

OFFICIAL NONPOLITICAL CONSUMERS POWER DISTRICT BALLOT
_____ County, South Dakota
(Election Date)

To vote use a cross (X) or check mark (✓) in the square in front of the name. <u>DO NOT cast more votes than are allowed in each race.</u>

For Director, District _____ , _____
Consumers Power District, you may vote for <u>one</u> or leave it blank:

☐ George Watt
☐ Bill Ohm

5:02:08:13. Nominating petition for municipal election

The nominating petition for a municipal election must be in the following form:

NOMINATING PETITION FOR MUNICIPAL ELECTION
_____
INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be fully completed before the petition is circulated for signatures.
_____
WE, THE UNDERSIGNED qualified voters of the municipality of _____ in the state of South Dakota, nominate _____ whose residence address is _____ , South Dakota, and whose business address is _____ , South Dakota, as a candidate for a ____ -year term for the office of _____ at the Municipal Election to be held on the ____ day of _____, _____ .
_____
DECLARATION OF CANDIDATE

I, _____ (print name here exactly as you want it on the election ballot) under oath, declare that I reside <u>and am registered to vote</u> in the municipality of _____. <s>, South Dakota,</s> and that I am eligible to seek the office for which I am a candidate. If nominated and elected, I will qualify and serve in that office. <u>If I am an alderman candidate, I declare that I reside and am registered to vote in Ward ____.</u>
                         (Signed)_____
Sworn to before me this ____ day of _____ , ____.
(Seal)
                         _____
                         Signature of Officer Administering Oath

My Commission Expires _____

_____
Title of Officer Administering Oath

_____
(Here insert instructions to voters and signature blanks prescribed in § 5:02:08:00.03.)

_____
VERIFICATION BY PERSON CIRCULATING PETITION
   INSTRUCTIONS TO CIRCULATOR: This section (bold) must (unbold) be completed following circulation and before filing.

_____
Print name of the circulator   Residence Address   City   State

I, under oath, state that I circulated the above nominating petition, that each signer personally signed this petition in my presence, that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration, that I attest the legality of the signatures and that each person signing this petition is a qualified voter of the municipality of _____.

_____
Signature of Circulator
Sworn to before me this ____ day of _____, ____.
(Seal)
_____
Signature of Officer Administering Oath
My Commission Expires _____
_____
Title of Officer Administering Oath

Source: 4 SDR 26, effective October 27, 1977; 6 SDR 25, effective September 24, 1979; 8 SDR 24, effective September 16, 1981; 12 SDR 43, effective September 23, 1985; 16 SDR 20, effective August 10, 1989; 25 SDR 8, effective August 3, 1998; 26SDR168, effective June 25, 2000.
General Authority: SDCL 12-1-9(7).
Law Implemented: SDCL 9-13-7, 9-13-11.

5:02:09:02.02. Criteria for approving direct recording electronic voting machines.

Before the State Board of Elections grants a certificate of approval, the following capabilities of the direct recording electronic voting machine must be demonstrated to the board or its designee. As used in this section the term, system, means direct recording electronic voting machine. The board may grant a certificate of approval for a system, if the system fulfills the following requirements:
(1) Enables the voter to vote in absolute secrecy;
(2) Presents the entire ballot to the voter in a series of sequential screens that include methods to ensure the voter sees all ballot options on all screens before completing the vote and allows the voter to review all ballot choices before casting a ballot;
(3) Prevents any voter from selecting more than the allowable number of candidates for any office to prevent overvoting, alerts the voter on the screen if the voter attempts to overvote, and provides information on how to correct the overvote;
(4)   Accurately counts each vote for each position voted;.
(5)   Is an electronic computer-controlled voting system that provides for direct recording and tabulating of votes cast;
(6) Has a battery back-up system that, at a minimum, allows voting to continue uninterrupted for two hours without external power;
(7) Along with any activating and vote recording devices and components, has a unique embedded internal serial number for audit purposes;

(8) Is designed to accommodate multiple ballot styles in each election precinct and have an option to handle multiple precincts;

(9) Has a real-time clock capable of recording and documenting the total time polls are open in a precinct and capable of documenting the opening and closing of polls;

(10)　Complies with the disability voting requirements of the Help America Vote Act;

(11)　For security purposes, along with each associated activating and recording device and component, employs a unique, electronically implanted election specific internal security code such that the absence of the security code prevents substitution of any unauthorized system or related component;

(12)　Has a color touch-screen that is at least fifteen inches in diagonal measure;

(13)　Has an option to accommodate a wheelchair voter without intervention of the poll worker other than a minor adjustment such as the angle of the display, and the voter must be able to vote in a face-first position so that privacy is maintained with the ballot surface adjusted to a vertical position;

(14)　Has wheels so that the system may be easily rolled by one person on rough pavement and rolled through a standard thirty-inch door frame if the net weight of the system, or aggregate of voting device parts, is over twenty pounds;

(15)　Has a smart card type device to activate the system for each individual voter. The poll worker shall be able to activate the card at the poll table with an activation device and hand the card to the voter to use on any open voting system. The card shall be rendered unusable by the voting system after the voter has cast a ballot and after a period of time has expired. There shall be a manual solution available in the event the smart card activation device, or the smart card reading unit on the machine, fails;

(16)　Prints an alphanumeric printout of the contest, candidates, position numbers, and vote totals when the polls are open so that the poll workers may verify that the counters for each candidate are on zero. These printouts shall contain the system serial number and the counter total. The poll worker must be able to request as many copies as needed. The system shall include ~~an optional~~ a feature to allow reports to be sent to a printer~~, to the screen,~~ or to an Excel compatible file;

(17)　The system central processing unit is designed so that no executable code may be launched from random access memory. If the operating system is open or widely used, it must be an embedded system;

(18)　Provides an electronic, redundant storage of both the vote totals and the randomized individual ballot images. These randomized images must be able to be printed after the polls close;

(19)　Allows a comparison of the multiple locations of totals and ballot images to detect any errors or discrepancies. In the event of a data discrepancy, an appropriate error message shall be displayed in a text format, in order to either correct the data error or prohibit voting from continuing;

(20)　Has a programmable memory device that plugs into the system. This programmable memory device shall contain the ballot control information, the summary vote totals, maintenance log, operator log, and the randomized ballot images;

(21)　Maintains all vote totals, counter totals, audit trail ballot images, and the internal clock time in both the main memory and the removable programmable memory devices in the event the main power and battery back-up power fail;

(22)　Has a self-contained, internal back-up battery that powers all components of the system that are powered by alternating current power. In the event of a power outage in the precinct the self-contained, internal back-up battery power shall engage with no disruption of operation or loss of data. The system shall maintain all vote totals, counter totals, audit trail

ballot images, and the internal clock time in both the main memory and the removable programmable memory devices in the event the main power and battery back-up fail;

(23) Has software that is able to run in a networked or stand –alone environment and support absentee in-person voting;

(24) Has as a standard or as an option, software and hardware provisions for remote transmission of election results to a central location;

(25) Has internal operating system software or firmware, that:

  (a) Is specifically designed and engineered for the election application;

  (b) Is contained within each touch-screen voting device;

  (c) Is stored in a nonvolatile memory within each terminal;

  (d) Includes internal quality checks such as purity or error detection and correction codes; and

  (e) Include comprehensive diagnostics to ensure that failures do not go undetected;

(26) Has a mandatory pre-election testing of the ballot control logic and accuracy. The logic and accuracy test results must be stored into the memory of the main processor (central processing unit) and into the same programmable memory device that is used on election day for future reference. The test results must be stored by vote total summaries and by each individual ballot image randomly. The system must be capable of printing a zero-results printout prior to these tests and results printout after the test; and

(27) Stores tabulation of votes, ballot by ballot, in ~~three~~ two or more memory locations on separate integrated circuit chips and shall be electronically compared throughout the election. Any differences between votes tabulated and votes stored in multiple storage locations shall be detected immediately and generate an error message defining required maintenance on the electronic voting system before the system continues to be used in the election.

Source: 29 SDR 113, effective January 30, 2003.
General Authority: SDCL 12-17B-17.
Law Implemented: SDCL 12-17B-2.

5:02:09:05. Recount procedure.

The following procedure shall be used in recounting any election counted by an automatic tabulating system:

(1) If a discrepancy in the number of ballots for a precinct is discovered during ballot tabulation and is not resolved at that time, the county auditor shall make every effort to resolve the discrepancy following the official county canvass and prior to the convening of the recount board;

(2) The recount board shall first examine each ballot to determine if the official stamp has been placed on the ballot and may not count any vote on an unstamped ballot;

(3) If any discrepancy remains after subdivisions (1) and (2) have been completed and the total number of ballots in a precinct exceeds the number of names in the pollbook, the ballots shall be placed in a box and the recount board shall draw from the box the number of ballots that is equal to the excess;

~~(2)~~ (4) The recount board shall review ballots for proper marking procedure according to the voting instructions. Each ballot marked in a manner other than as provided in the instructions to voter and which may not be counted by the machine shall be hand counted or duplicated in the manner used by a resolution board and the duplicate counted by machine. The recount board

shall determine the voter's intent based on the standards found in ARSD 5:02:09:19 to 5:02:09:22, inclusive;

(3) (5) The recount board shall review each ballot to determine if there are any write-in votes. Any write-in vote may not be counted but all other votes for which the voter's intent can be determined shall be counted;

(4) (6) The recount board shall examine the ballots reviewed by the resolution board to determine the correctness of the initial rejection or duplication. The recount board shall rule on whether each attempted vote is to be counted or rejected;

(5) (7) The recount board shall count the ballots with the automatic tabulating equipment or by hand;

(6) (8) The recount board shall complete the Certificate of Disputed Ballot as provided in §5:02:19:09;

(7) (9) Any question arising on the recount shall be determined by majority vote of the recount board; and

(8) (10) The recount board shall certify the new returns as printed by the automatic tabulating equipment or as hand counted as the "Official Returns" for the election by completing the Certificate of Recount as provided in §5:02:19:08. The Certificate of Recount shall be filed with the person in charge of the election and shall constitute the final returns for the election in that jurisdiction. If the recount involved an election canvassed by the State Board of Canvassers a duplicate original of the Certificate of Recount shall be forwarded to the secretary of state to be incorporated into the statewide totals as provided by SDCL 12-21-39.

Source: 3 SDR 69, effective April 10, 1977; 6 SDR 25, effective September 24, 1979; 21 SDR 77, effective October 24, 1994; 26SDR168, effective June 25, 2000 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-17B-7, 12-17B-17(4).
Law Implemented: SDCL 12-17B-7, 12-17B-16.

5:02:10:01. Application for absentee ballot.

Prior to January 1, 2004, the absentee ballot application must follow the specifications provided in this section that were in effect on May 15, 2003.

The application for an absentee ballot must be in the following form:

APPLICATION FOR ABSENTEE BALLOT
_____ COUNTY, SOUTH DAKOTA
(All ballots must be delivered or mailed to the person in charge of the election in time to permit transmittal to the polling place before the polls close.)
You may apply for an absentee ballot for any or all primary, and general, or special elections conducted by your county with one request. However, you must make a separate request for municipal elections, and another for school elections, and another for special elections.

Check the election(s) for which you are requesting an absentee ballot:
(-) ☐ Primary (party ballot as shown on voter registration)
(-) ☐ General
(-) ☐ Municipal
(-) ☐ School
(-) ☐ Special _____ (specify jurisdiction)
(-) ☐ If a runoff any other election is necessary conducted by this jurisdiction this year, I request an absentee ballot for that election. Check if Yes.

(-) If request is for a municipal or school election:, you must

I have lived in that jurisdiction at least 30 days in the last year. ~~Check if Yes.~~ 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 ☐

My voter registration residence address is: _____
                                             (address)   (city)
My printed name as it appears on the voter registration list is: _____
~~The following reason prevents me from voting at my polling place:~~
~~( ) I expect to or may be absent from the county on election day~~
~~( ) I am totally and permanently disabled~~
~~( ) I am ill or temporarily physically disabled~~
~~( ) I am prohibited from voting on election day by my religious beliefs~~
~~( ) I am a resident student at _____~~
~~( ) The nature and hours of my employment~~
~~( ) I am a member of the Armed Forces stationed at _____~~
I hereby ~~certify~~ verify that I am the person named above and these statements made by me are true and correct.

_____   _____ _____
~~Print name as it appears on registration list~~   Voter Signature   ~~Date~~

Sworn to before me this _____ day of _____, 20__.
  (Seal)
_____
                                 Signature of Officer Administering Oath
                                    My Commission Expires _____
_____
                                 Title of Officer Administering Oath
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 absentee voting at the office of the person in charge of the election, you must show a valid ID.
An acceptable ID is:
- A South Dakota driver's license or nondriver ID card
- A passport or other picture ID issued by the United States government
- A tribal photo ID
- A photo ID issued by a South Dakota postsecondary education institution
_____
             COMPLETE THIS PORTION IF BALLOT IS TO BE MAILED
Mail my ballot to the following address:_____
Daytime phone number: _____   (Street address or PO Box)(City)(State)(Zip)
_____
COMPLETE THIS PORTION IF REQUEST IS FOR AN AUTHORIZED MESSENGER TO PICK UP BALLOT (This application must be received by the person in charge of the election before 3:00 p.m. on election day):
I authorize _____ to serve as my authorized messenger to pick up my absentee ballot. I further certify under penalty of law that I am sick and/or confined 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.
                       (date) (time)

_____
           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.
General Authority: SDCL 12-1-9(4), 12-19-2.
Law Implemented: SDCL 9-13-4.1, 12-19-2, 12-19-2.1, 12-19-2.2, 13-7-4.2.

5:02:10:08. Envelopes for use with voting service and overseas ballots.

The envelopes used in connection with voting service and overseas ballots must be printed in black ink and must meet the following federal guidelines:

MAX
Height   6 1/8 inches
Length   11 1/2 inches

MIN
Height   3 1/2 inches
Length   5 1/2 inches
Use Black Ink

BALLOT TRANSMISSION ENVELOPE
(SAMPLE)

Name and complete address

OFFICIAL ELECTION MAIL
Authorized by the U.S. Postal Service
TM

U.S. Postage Paid
39 USC 3406

PAR AVION

OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST CLASS MAIL

NO POSTAGE NECESSARY IN THE U.S. MAILS-DMM E080

TO:

MAX
Height   6 1/8 inches
Length   11 1/2 inches

MIN
Height   3 1/2 inches
Length   5 1/2 inches
Use Black Ink

BALLOT RETURN ENVELOPE
(Sample)
If mailed in non U.S. Postal System - Voter must pay postage

Name and complete address

OFFICIAL
ELECTION MAIL
Authorized by the U.S. Postal Service
TM

U.S. Postage Paid
39 USC 3406

PAR AVION

OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST CLASS MAIL

NO POSTAGE NECESSARY IN THE U.S. MAILS-DMM E080

The ballot return envelope must be a white security envelope or heavy manila envelope. The following must be printed on the reverse of the return envelope to the county auditor:

I,_____, under penalty of impersonating a registered voter (five years imprisonment and $5,000 fine), state that I am a registered voter, that my voting residence is _____, and that I have voted the enclosed ballot.

Dated this _____ day of _____, 20___.

_____
                                        Signature of Voter

Source: 5 SDR 31, effective November 1, 1978; 6 SDR 25, effective September 24, 1979; transferred from 5:02:05:18, 12 SDR 43, effective September 23, 1985; 14 SDR 19, effective August 9, 1987; 16 SDR 20, effective August 10, 1989; 20 SDR 4, effective July 19, 1993; 21 SDR 77, effective October 24. 1994; 25 SDR 8, effective August 3, 1998; 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-1-9(8).
Law Implemented: SDCL 12-19-3, 12-19-4, 12-19-5, 12-26-7.

Chapter 5:02:17

Pollbooks and Tally Sheets

5:02:17:13. Certification of provisional ballot count.

The certification of provisional ballot count shall be a table containing the following elements:

 (1) Precinct Name;
 (2) Name of candidate or ballot question;
 (3) Number of votes received in figures; and
 (4) Number of votes received in words.

The certification shall also contain the following:

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF _____)
We, (list names) , appointed as the provisional ballot counting board or provisional ballot
resolution board in the jurisdiction of _____ for the _____ election held on the
_____ day of _____ , 20___ , hereby certify that the foregoing is a true abstract of the
provisional votes which were counted for this jurisdiction.

                    _____
                    _____
                    _____
                    _____

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

                    _____
                    Person in Charge of the Election

Source:
General Authority: SDCL 12-20-13.1.
Law Implemented: SDCL 12-20-13.1.