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 seven inches from the top and scored for folding 3.5 inches from the top. The voter registration form shall 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 _____
                                  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:_____ ~~State of driver license issue:~~
(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 (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 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 cancelled:
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: ~~State of driver license issue:~~

(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 (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 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:

3

			Jr Sr II III IV
Previous Address	City/Town	State	Zip
County:	Birth Date:	Driver license number:	
Dated ____/____/_____	Voter Signature:		

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

The instructions to be posted in ~~three~~ two 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 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.

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:

INSTRUCTIONS TO THE VOTERS

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.

The instructions to be published with the facsimile ballot for primary and general elections must be in the following form:

INSTRUCTIONS TO THE VOTERS

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.
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.

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.

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; 29 SDR 177, effective July 2, 2003; 30 SDR 171, effective May 10, 2004.
General Authority: SDCL 12-1-9(3), 12-1-9(9).
Law Implemented: SDCL 12-16-23, 12-16-25.

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

The instructions to be posted in ~~three~~ two 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 (●) 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.
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.

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 (●) 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.
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.

The instructions to be published with the facsimile ballot for primary and general elections must be in the following form:

INSTRUCTIONS TO THE VOTERS

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.
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.

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.

Source: 27 SDR 146, effective July 9, 2001; 28 SDR 99, effective January 17, 2002; 29 SDR 177, effective July 2, 2003; 30 SDR 171, effective May 10, 2004; 32 SDR 109, effective December 26, 2005.
General Authority: SDCL 12-1-9(3), 12-1-9(9).
Law Implemented: SDCL 12-16-23, 12-16-25.

5:02:05:26. Polling place voter identification sign.

Voter identification signs must be posted at each polling place. A sign must be posted at each entrance to the polling place which is used by voters. In addition a voter identification sign must be posted in the voting area for each precinct voting at a polling place. The type size of the sign must be a minimum of 36 point type. The language of the sign, shall be in the following form:

Please Read

To vote, you must either:
- Present a photo ID, or if not able to do so,
- Sign an affidavit which will be given to you.

Accepted forms of photo identification include any one of the following:
- A SD driver license or nondriver ID card; or
- A US government photo ID; or
- A tribal photo ID; or
- A current student photo ID from a SD high school or SD accredited institution of higher education.

Source: 31 SDR 35, effective September 23, 2004.
General Authority: SDCL 12-1-9(3).
Law Implemented: SDCL 12-18-6.1, 12-18-6.2.

Chapter 5:02:06

Ballot Forms and Color

5:02:06:01.01. Constitutional amendments.

All constitutional amendments proposed by the Legislature or initiated by the people shall be printed on ~~one pink~~ the general election optical scan ballot. ~~The instructions to the voter must be in the following form: To vote use a cross (X) or check mark (✓) in the square next to "yes" or "no".~~

Source: 6 SDR 123, effective July 2, 1980; 27 SDR 146, effective July 9, 2001; 28 SDR 99, effective January 17, 2002.
General Authority: SDCL 12-1-9(2).
Law Implemented: SDCL 12-13-11, 12-16-2.1.

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 or presidential delegates and alternates, 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 the following form:

To vote for a group of presidential electors fill in the oval (●) next to the names.
To vote for a group of presidential delegates and alternates 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, pen or marker.
DO NOT cast more votes than are allowed in each race.

Printers note: The instruction to "Use only a pencil, pen or marker." should be included in the first instruction box only. Use either "pencil", "pen" 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.

5:02:06:03.01. Supreme Court justice retention ballot.

The retention ~~ballot~~ question for a Supreme Court justice shall be on the general election optical scan ballot ~~gold~~ and shall be in the following form:

OFFICIAL NONPOLITICAL SUPREME COURT JUSTICE RETENTION BALLOT
_____ ~~COUNTY, SOUTH DAKOTA~~
_____ ~~November~~ _____ , 19 _____
Shall the justice(s) of the Supreme Court named on this ballot, whose term(s) expire(s)   (date)   , be retained in office?
VOTE ON EACH JUSTICE

Justice John Doe, representing the   ☐ Yes
_____ Supreme Court District   ☐ No

Justice John Roe, representing the   ☐ Yes
_____ Supreme Court District   ☐ No

5:02:06:04.01. Initiated measures and referred laws.

All measures initiated or laws referred by the people statewide shall be printed on ~~one blue~~ the general election optical scan ballot. If a county ballot question is not placed on an optical scan ballot, the ~~The~~ instructions to the voter must be in the following form: To vote use a cross (X) or check mark (✓) in the square next to "yes" or "no".

5:02:06:10. Primary.

The ~~color of the~~ primary election ballot must ~~be~~ have a blue indicator for the Democratic party, white for the Republican party, and a different color as certified by the Secretary of State for any other party. The ballot must be in the following form, as applicable:

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

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 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) or (you may vote for one 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~~ Commissioner, 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. For state representative, use the correct "vote for" phrase for the number to be elected.

5:02:06:13. Municipal questions election.

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

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

~~The following question(s) (is, are) brought before the voters of the City of~~
~~_____, South Dakota, for their acceptance or rejection:~~

The following (initiated measure or referred ordinance or referred resolution) was proposed by petition for submission to the voters. This (initiated measure or referred ordinance or referred resolution) will not become effective unless approved by majority vote.

Title: (HERE LIST ~~QUESTION~~ TITLE OF INITIATIVE OR REFERENDUM TO BE VOTED ON)

City Attorney Explanation: (HERE LIST CITY ATTORNEY'S EXPLANATION)

To vote use a cross (X) or check mark (✓) in the square in front of "~~For~~ Yes" or "~~Against~~ No".

☐ ~~For _____ (the question, whatever it may be)~~ Yes   A vote "Yes" will (change city ordinance)(adopt the resolution).

☐ ~~Against _____ (the question, whatever it may be)~~ No   A vote "No" will (leave the city ordinance as it is)(not adopt the resolution).

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

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

<div align="center">

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

</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 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
☐ _____
☐ _____

Source: 12 SDR 43, effective September 23, 1985; 25 SDR 8, effective August 3, 1998; 28 SDR 99, effective January 17, 2002; 29 SDR 177, effective July 2, 2003.
General Authority: SDCL 12-1-9(2).
Law Implemented: SDCL 12-6-51.1.

5:02:06:20. Tax levy opt-out ballot.

The tax levy opt-out ballot must be white and in the following form:

<div align="center">

OFFICIAL TAX LEVY OPT-OUT ELECTION BALLOT
_____, SOUTH DAKOTA
(Election Date)

</div>

The following tax levy opt-out was passed by the governing body and submitted to the voters. The tax levy opt-out will not become effective unless approved by majority vote.

<div align="center">

(HERE LIST THE AMOUNT AND TERMS OF THE INCREASED TAX LEVY)

</div>

To vote use a cross (X) or check mark (✓) in the square in front of "Yes" or "No".

☐ Yes   A vote "Yes" will increase the tax levy by the amount of the opt-out.

☐ No   A vote "No" will leave the tax levy as it is without the amount of the opt-out.

Source:
General Authority: SDCL 12-1-9(2).
Law Implemented: SDCL 10-12-43, 10-13-36.

Chapter 5:02:08

Petitions

5:02:08:41.   Form of petition for referring a tax levy opt-out.

The petition for referring a tax levy opt-out must be in the following form:

_____(insert jurisdiction) EXCESS TAX LEVY REFERENDUM PETITION

   WE, THE UNDERSIGNED qualified voters of _____ (insert jurisdiction) in the state of South Dakota, petition that the following decision regarding the imposition of an excess tax levy, as passed by the governing body, be submitted to the voters of the jurisdiction for the voters' approval or rejection pursuant to law.

   (Here insert the governing body's decision regarding the imposition of an excess tax levy and the date of its passage.)

   The balance of this petition form is prescribed in § 5:02:08:00.03.

Source:
General Authority: SDCL 12-1-9(7).
Law Implemented: SDCL 10-12-43, 10-13-36.

Chapter 5:02:09

Automatic Tabulating Equipment

5:02:09:04.03. Arrangements for and conduct of voting in precincts where automatic tabulating systems used

The following procedures apply to the arrangements for and conduct of voting in precincts where automatic tabulating systems are used:

(1) The precinct officials shall prepare the voting place before the opening of the polls with all the voting booths, instructions to voters, other voting equipment, and supplies as provided by the person in charge of the election. These preparations must be made according to the instructions received at the election school held for precinct officials pursuant to SDCL 12-15-7. If an electronic ballot marking system is being used, it must operational and tested as provided in § 5:02:09:04.05;

(2) The precinct official charged with the duty of issuing the ballot to the voter shall mark the ballot with the official ballot stamp in the location designated by the person in charge of the election;

(3) The official shall issue the ballot along with any other system equipment required for marking the ballot. If requested by the voter, the The official shall issue clear instructions or demonstrations for marking the ballot with only the instrument provided and according to the instructions on the ballot and those posted throughout the voting place. The official shall specifically inform the voter that marking the ballot with any instrument other than the one issued could result in the ballot not being counted. All instructions must be given prior to the voter entering the voting booth, except a voter may receive instruction on operating an electronic ballot marking system while using the system;

(4) A precinct official, in the course of instructing a voter, may not show partiality to any political party or any side of a measure being voted on;

(5) Precinct officials shall discharge the duties of instruction with each political party alternating a turn so as to ensure a nonpartisan presentation;

(6) In precincts using optical scan ballots, the official shall instruct the voter to return the voted ballot in the privacy sleeve so that the official ballot stamp is visible by the official before the ballot is placed in the box. The precinct official shall place any ballot without the official ballot stamp in a separate marked envelope not to be counted and give the voter a new ballot;

(7) Upon completion of the voting on election night, the precinct officials shall complete the recap sheet prescribed in § 5:02:09:16. If the ballot count does not agree with the number of voters in the pollbook, the precinct officials shall compare the voters in the pollbook and the registration list and correct any mistakes;

(8) The precinct officials shall securely lock and seal the ballot box with a locking device and seal label to secure or cover any open slot in the box and to identify the box;

(9) The voted ballots and all spoiled and unvoted ballots are to be transported pursuant to SDCL 12-17B-9 to the person in charge of the election;

(10) Precinct officials shall secure in the polling place the equipment and supplies that were issued for the purpose of voting or shall return them to the person in charge of the election.

Source: 21 SDR 77, effective October 24, 1994; 23 SDR 236, effective July 17, 1997; 30 SDR 171, effective May 10, 2004.
General Authority: SDCL 12-17B-17.
Law Implemented: SDCL 12-17B-6, 12-17B-7, 12-17B-9.
Cross-References: Recapitulation sheet, 5:02:09:16.

5:02:09:04.05. Election day test of electronic ballot marking system.

Prior to the opening of the polls, the precinct superintendent must test the electronic ballot marking system for proper operation using the following procedure:

(1) Use only the test ballots provided by the person in charge of the election which are labeled "TEST BALLOTS";

(2) Mark at least two "TEST BALLOTS" using the electronic ballot marking system by selecting various candidates and ballot questions using the touchscreen, keypad, and headphones;

(3) You must successfully mark two "TEST BALLOTS" before allowing voters to use the electronic ballot marking system;

(4) If the test is not successfully completed, open the polls at 7:00 a.m. No voter may use the electronic ballot marking system until the test is successfully completed.

Source:
General Authority: SDCL 12-1-9(4).
Law Implemented: SDCL 12-18-1.6.

Chapter 5:02:10

Absentee 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. Application for absentee ballot.

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

APPLICATION FOR ABSENTEE BALLOT
_____ COUNTY, SOUTH DAKOTA

You may apply for an absentee ballot for any or all primary, 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.

Check the election(s) for which you are requesting an absentee ballot:
☐ Primary
☐ General
☐ Municipal
☐ School
☐ Special _____ (specify jurisdiction)
☐ If any other election is conducted by this jurisdiction this 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 ☐

My voter registration residence address is: _____
                                                                    (address)   (city)
My printed name as it appears on the voter registration list is: _____

I hereby verify that I am the person named above and these statements made by me 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
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 current student photo ID issued by a South Dakota high school or 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 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.
                                          (date)   (time)

_____
Signature of authorized messenger

Date ballot returned:

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.
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.

5:02:10:01.03. Combined absentee ballot application/return envelope.

The application for an in-office absentee ballot shall be printed in the following form on an envelope used for sealing the voted ballot:

APPLICATION FOR IN-OFFICE ABSENTEE BALLOT
_____ COUNTY, SOUTH DAKOTA

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

My voter registration residence address is: _____
                                          (address)   (city)

Check the election for which you are requesting an absentee ballot:
☐ Primary
☐ General
☐ Municipal
☐ School
☐ Special _____ (specify jurisdiction)

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 ☐

I, under penalty of impersonating a registered voter (5 years imprisonment and $5,000
fine), state that I am the person named above, these statements made by me are true
and correct, and that I will vote the ballot which will be enclosed in this envelope.

_____   _____
Voter Signature   Date

INSTRUCTIONS TO THE VOTER:

- Mark your ballot privately.
- Do not fold your ballot.
- Place your ballot in this envelope and seal it securely.
- Return the envelope immediately to the person in charge of the election.

Auditor Office Use Only:

Voter Precinct: _____
Type of ID: _____

Printers Note: When this form is printed for primary, general, or other county elections,
reference to municipal and school elections may be omitted. The instruction to "not fold
your ballot" may be changed if the ballot is to be folded.

Source:
General Authority: SDCL 12-1-9(8), 12-19-2.5.
Law Implemented: SDCL 12-19-2, 12-19-2.1, 12-19-9.1, 12-19-2.5.

5:02:10:04. Instructions to absentee voters.

~~Prior to January 1, 2005, the instructions to absentee voters may follow the
specifications provided in this section that were effect on August 25, 2004.~~

   All ballots mailed or delivered to absentee voters shall include instructions that read
as follows:
   TO THE VOTER:
- Mark your ballot privately.
- (insert a statement regarding whether and how many times the ballot should
  be folded)
- Place your ballot in the return envelope and seal it securely.
- Complete the statement on the back of the return envelope and (bold) **SIGN
  IT** (unbold).
- Mail the ballot to the person in charge of the election, deliver it in person, or
  authorize someone to deliver it for you.
- The ballot must be received by the person in charge of the election (in time to
  transmit it to your precinct polling place)(by 7:00 p.m.) on election day.

Printers Note: Use correct return time designation in last bullet point.

Chapter 5:02:16

Counting and Canvassing of Ballots

5:02:16:16. Voter's intent. <u>Repealed.</u>

~~The counting board shall determine the voter's intent in marking the ballot. This section shall be construed liberally by the counting board to assure that each person's vote is counted.~~

Source: 4 SDR 26, effective October 27, 1977; 25 SDR 167, effective July 6, 1999.
General Authority: SDCL 12-1-9(4), 12-20-52.
Law Implemented: SDCL 12-20-8.