

The background of the page features a large, light blue seal of the State of South Dakota. The seal has a serrated outer edge. Inside the seal, the words "STATE OF SOUTH DAKOTA" are written in a circular path at the top, and "GREAT SEAL" at the bottom. In the center of the seal is a landscape illustration showing a river, a bridge, a windmill, and a person in a field. Above the landscape, a banner reads "GOD THE PEOPLE RULE". At the bottom of the seal, the year "1889" is displayed within a decorative border.

# **2026 Political Party Information New Party, Alternative Political Party Status and Recognized Party Requirements**

## **South Dakota Secretary of State**

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### **12-1-3. Definition of terms used in title.**

Terms used in this title mean:

(12) "Political party," beginning with the 2014 general election and each general election thereafter, a party whose candidate for any statewide office received at least two and one-half percent of the total votes cast for that statewide office in either of the two previous general election cycles;

#### **12-1-3.1. Alternative political status defined.**

For the purposes of this title, the term, alternative political status, means that a political party meets the requirements of this section commencing with the 2014 general election and each general or special statewide election thereafter. Any political party that meets the definition of political party as defined in § 12-1-3 and has a total party registration of less than two and a half percent of the total number of registered voters, as recorded at the Office of the Secretary of State on the date of the last general election, shall receive alternative political status. Any party that has a total party registration of two and a half percent or more of the total number of registered voters, as recorded at the Office of the Secretary of State on the date of the last general election, shall no longer be classified as alternative political status, but shall remain a political party for the next two general election cycles.

#### **12-6-4. Petition required to place candidate's name on primary ballot--Time and place of filing.**

Except as provided by § 12-5-4 and as may be otherwise provided in chapter 12-9, no candidate for any office to be filled, or nomination to be made, at either or both the primary or general election, other than a presidential election, may have that person's name printed upon the official primary election ballot of that person's party, unless a petition has been filed on that person's behalf after December thirty-first and by the last Tuesday of March at five p.m. local time before the date of the primary election. If the petition is mailed by registered mail by the last Tuesday of March at five p.m. local time before the primary election, the petition shall be considered timely submitted. A nominating petition for national convention delegates and alternates as provided in § 12-5-3.11 shall be filed in accordance with the provisions of this section. Nominating petitions for all party and public offices except legislative and judicial offices shall be filed in the office of the county auditor of the county in which the person is a candidate. Nominating petitions for legislative and judicial office whether elected in one or more counties, and all other party and public offices to be voted on in more than one county shall be filed in the Office of the Secretary of State.

#### **12-6-7. Nominating petitions--Several sheets--Signature requirements.**

A nominating petition may be composed of several sheets, each sheet shall have identical headings printed at the top and shall be a self-contained sheet of paper. The petition for a candidate for the Legislature shall designate the senatorial or representative district number and house for which the person is a candidate.

The petition for party office or political public office for a state or federal candidate shall be signed by not less than one percent of the voters who voted for that party's gubernatorial candidate at the last gubernatorial election in the state. A petition for the Legislature, county party office, or county political public office shall be signed by not less than one percent of the voters who voted for that party's gubernatorial candidate at the last gubernatorial election, or fifty voters, in the county, part of the county, or district electing a candidate to fill the office, whichever is less.

If the party meets the requirement for alternative political status as defined in § 12-1-3.1, the petition for party office or political public office for a state or federal candidate shall be signed by not less than one percent of the voters who voted for that party's statewide candidate receiving the highest votes at the last gubernatorial election in the state. A petition for the Legislature, county party office, or county political public office shall be signed by not less than one percent of the voters who voted for that party's statewide candidate receiving the highest votes at the last gubernatorial election in the county, part of the county, or district electing a candidate to fill the office, whichever is less.

If a county uses vote centers and does not print ballots by precinct, signature requirements are:

- (1) For both partisan and independent candidates, fifty signatures for a legislative candidate whose district either in whole or in part includes that county;
- (2) For a county candidate:
  - (a) Partisan candidate petitions shall be signed by the lesser of fifty signatures or signatures from one percent of the voters who voted for that party's gubernatorial candidate, or the party's statewide candidate receiving the highest votes if the party meets the requirement for alternative party status as defined in § 12-1-3.1, at the last gubernatorial election in the county electing a candidate to fill the office; or
  - (b) Independent candidate petitions shall be signed by not less than one percent of the total combined vote for Governor at the last certified election within the county electing a candidate to fill the office;
- (3) Half the number of signatures required under subdivision (2), for county commissioner district candidates;
- (4) Five signatures for a new party legislative candidate whose district either in whole or in part includes that county;
- (5) Five signatures for a new party county candidate; or
- (6) Three signatures for a new party county commissioner district candidate.



New Political Party submits signatures of at least 1% of the total vote for Governor in the last gubernatorial election by the last Tuesday in March 12-5-1

New Political Party that will not have a candidate for United States Senate, United States House of Representatives, Governor, or Legislature submits signatures of at least 1% of the total vote for Governor in the last gubernatorial election not later than July 1<sup>st</sup> 12-5-1.5

Party By-laws indicate candidates selected at primary

Party By-laws indicate candidates nominated at state party convention

Party becomes a recognized party

New party candidates must submit petitions by the last Tuesday in March. State and federal candidates need signatures from at least 250 registered voters with that party. Legislative and county candidates need signatures of at least 5 registered voters with that party to participate in the primary. 12-5-1.4 & 12-6-4

Party certifies candidates nominated to the SOS by second Tuesday in August to be placed on the general election ballot

No primary opposition, candidate moves on to the general election ballot 12-6-9

New party statewide candidate(s) DOES NOT receive at least 1% of the total vote for that party's statewide candidate 12-1-3(12)

Party loses recognized alternative political status 12-5-1

New party statewide candidate(s) RECEIVES at least 1% of the total vote for that party's statewide candidate 12-1-3(12)

Any party that has a total party registration of 2.5% or more of the total number of registered voters recorded by SOS at last general election will lose alternative political status and must follow state laws for recognized political parties 12-1-3.1

Party retains recognized alternative political status 12-1-3.1

Party needs to start the formation process again & submit signatures of at least 1% of the total vote for Governor in the last gubernatorial election 12-5-1

Recognized Major Political Parties (Democratic & Republican) 12-1-3(12)

Recognized political party candidates must submit petitions by the last Tuesday in March containing signatures of at least 1% of their party's governor candidate in the last gubernatorial election to be placed on the primary ballot or if county uses Vote Centers follow signature requirements in 12-6-7 12-6-4 & 12-6-7

No primary opposition, candidate moves on to the general election ballot 12-6-9

Recognized political statewide candidate(s) RECEIVES at least 2.5% of the total vote for that party's statewide candidate 12-1-3(12)

Party retains recognized political party status 12-1-3(12)

Party loses recognized party status 12-1-3(12)

Party needs to start the formation process again & submit signatures of at least 1% of the total vote for Governor in the last gubernatorial election 12-5-1

Candidates for a party with alternative political status shall submit petitions signed by not less than one percent of the voters who voted for that party's statewide candidate receiving the highest votes at the last gubernatorial election in the county, part of the county, district, or state electing a candidate to fill the office by the last Tuesday in March. 12-1-3.1, 12-6-4 & 12-6-7

## 2026 Political Party Flowchart

Recognized political party statewide candidate(s) DOES NOT receive at least 2.5% of the total vote for that party's statewide candidate 12-1-3(12)