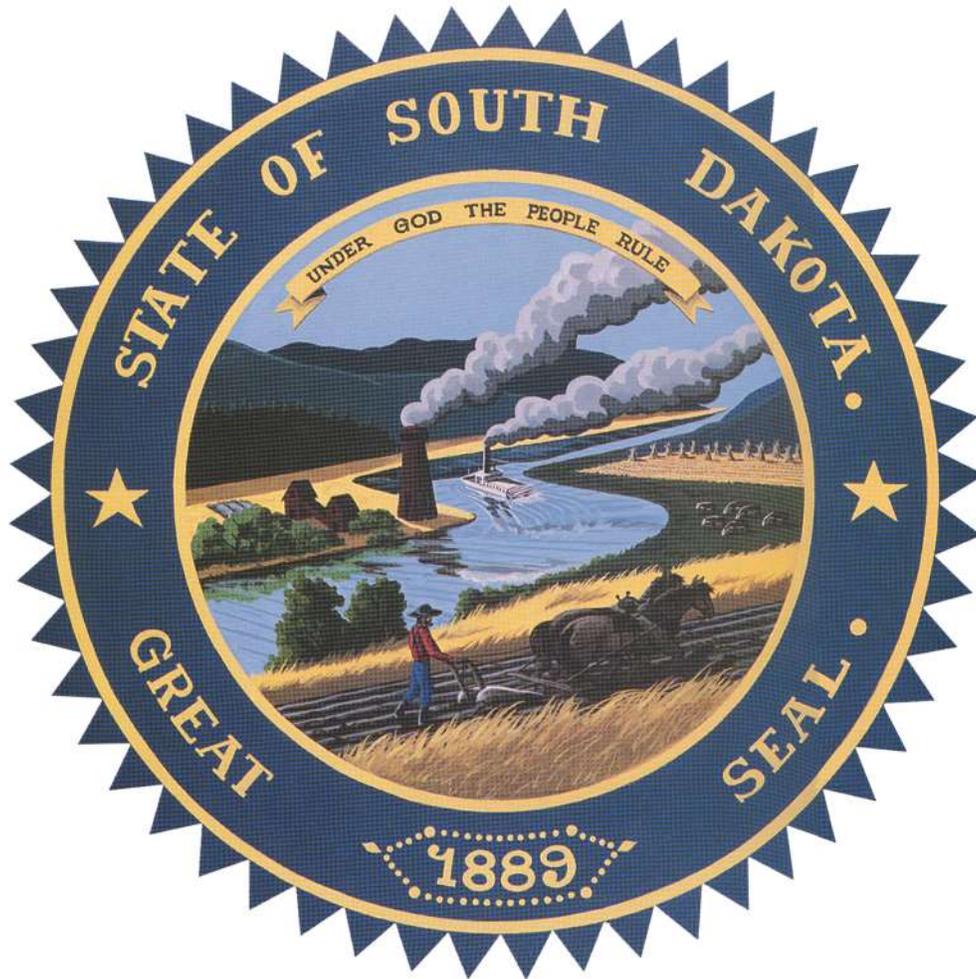


How to be a **COUNTY** Candidate

2016 Petition Requirements, Important Dates
and Campaign Finance

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GENERAL INFORMATION

Qualifications and Term Limits

Candidates seeking one of these offices must submit the nominating petition with the County Auditor:

County Auditor – ([SDCL 7-7-1.1](#))

No Specified Qualifications

Term Limit: No Limit

County Commissioner – ([SDCL 7.8.1](#))

No Specified Qualifications

Term Limit: No Limit

County Coroner – ([SDCL 7-7-1.1](#))

No Specified Qualifications

Term Limit: No Limit

County Finance Officer (*If Applicable*) – ([SDCL 7-7-1.1](#))

No Specified Qualifications

Term Limit: No Limit

County Sheriff – ([SDCL 23-3-43.1](#))

Any candidate for election to the office of county sheriff shall file with the county auditor by the last Tuesday of March of the election year a certification of qualification issued by the law enforcement officers standards commission that the candidate meets the qualifications provided in [§ 23-3-43](#).

Term Limit: No Limit

County Treasurer – ([SDCL 7-7-1.1](#))

No Specified Qualifications

Term Limit: No Limit

Register of Deeds – ([SDCL 7-7-1.1](#))

No Specified Qualifications

Term Limit: No Limit

State's Attorney – ([SDCL 7-16-1](#))

License to Practice Law

Term Limit: No Limit

Filing Office

The County Auditor's office is the filing office for County Candidates. Each candidate needs to circulate a nominating petition and achieve the required amount of signatures.

[12-27-42](#). – Place of filing. Any statement, form, or filing required by this chapter shall be filed with the secretary of state in the case of a statewide office or legislative office election. Any statement, form, or filing required by this chapter shall be filed with the county auditor in the case of a county office election, with the municipal finance officer or clerk in the case of a municipal ballot question election, with the school business manager in the case of a school district office election, or with the person in charge of the election in the case of other political subdivisions or special purpose districts. However, any county, municipality, school district, or other political subdivision may, by resolution, direct that any statement, form, or filing required by this chapter be electronically filed with the secretary of state, rather than being filed with the county, municipality, school district, or other political subdivision.

IMPORTANT DATES

Primary Election - June 7, 2016

Voter Registration Deadline - May 23, 2016

Absentee voting begins - April 22, 2016

General Election - November 8, 2016

Voter Registration Deadline - October 24, 2016

Absentee voting begins - September 23, 2016

Candidates cannot sign their declaration of candidacy or begin circulating a nominating petition until January 1, 2016.

Deadlines:

- March 29, 2016 at 5:00 PM for primary candidates - any candidate running as a party candidate in one of the recognized political parties. As of September 23, 2015 that only includes Democrat and Republican Parties.
- April 26, 2016 at 5:00 PM for a candidate running as an independent (*independent is not a political party in SD*).
- County Commissioner candidates must submit a Candidate Financial Interest Statement to the County Auditor within 15 days of submitting their nominating petitions.
- County candidates must submit a Statement of Organization to the County Auditor within 15 days of submitting their nominating petitions or after raising or expending \$500 or more ([SDCL 12-27-3](#), [12-27-1\(4\)](#)).

Number of Signers Required for 2016 Petitions

The required amount of signatures is based off of the last gubernatorial election. For a partisan candidate, you must obtain 1% of the total vote for your political party's candidate for governor at the last gubernatorial election or a maximum of 50, whichever is less, in the county or commissioner district ([SDCL 12-6-7.1](#)). An independent candidate must obtain 1% of the total vote for all candidates for governor at the last gubernatorial election in the county or commissioner district ([SDCL 12-7-1](#)). Candidates must obtain signatures from the political party they are registered to vote with; however, independent candidates may gather signatures from any registered voter.

A candidate can purchase a voter registration list from the county auditor. The county auditor is allowed under law to charge for the voter list.

Deadline to File Nominating Petition

The deadline to file a partisan nominating petition is Tuesday, March 29, 2016 at 5:00 p.m. The deadline to file as an independent candidate is Tuesday, April 26, 2016 at 5:00 p.m. Petitions postmarked by **Registered Mail** prior to 5:00 p.m. on the last day to file and received after the deadline will be considered filed in a timely fashion. Certified and First-Class Mail received after the deadline will not be considered filed.

A petition form can be downloaded from the Secretary of State's website at <https://sdsos.gov/elections-voting/nominating-petitions/default.aspx> or you can request a copy of a blank petition from the County Auditor.

Deadline to Withdraw

The deadline to withdraw your nomination for the Primary Election is March 31, 2016 at 5:00 p.m. ([SDCL 12-6-8.1](#)). The deadline to withdraw for the General Election is August 2, 2016 at 5:00 p.m. ([SDCL 12-6-55](#)). If the request is postmarked by **Registered Mail** prior to 5:00 p.m. on the last day to file and received after the deadline, the request will be considered filed. Certified and First-Class Mail received after the deadline will not be considered filed.

Write-in Candidates

South Dakota prohibits write-in candidates or write-in votes of any kind ([SDCL 12-20-21.2](#)).

FINANCIAL INTEREST STATEMENT

A county commissioner candidate must file a 'Statement of Financial Interest – **Candidate** for Public Office' with the County Auditor **within 15 days after filing** nominating petitions ([SDCL 12-25-30](#)).

A county commissioner candidate that is elected must file a 'Statement of Financial Interest – Elected Official' within 15 days of taking the oath of office ([SDCL 3-1A-2](#)). All Financial Interest Statements can be found on the Secretary of State's website at sdsos.gov.

CAMPAIGN FINANCE

[\(SDCL 12-27-39\)](#)

Campaign Finance is required in Counties, with a population *greater than 5,000* according to the most recent Federal census or in a county that has adopted ordinance(s) or resolution(s) outlining campaign finance requirements. Refer to the Secretary of State's website for Campaign Finance Guidelines.

If your county has a population over 5000, then the county candidates are required to submit campaign finance reports to the County Auditor.

Important Campaign Finance Deadline Dates for Counties:

- February 1, 2016: 2015 year-end report is due
- May 27, 2016: Pre-primary report is due
- August 12, 2016: Post primary (non-winner) report is due (this is new)
- October 28, 2016: Pre-general report is due
- February 6, 2017: 2016 year-end report is due

Campaign Signs

Campaign signs are regulated by ordinance in some municipalities. The municipal ordinance will regulate political campaign signs within the city limits. The ordinance may specify any of the following:

- 1) When political campaign signs can be posted and when the signs must be taken down.
- 2) The size of the political campaign signs.
- 3) Where political campaign signs can or cannot be posted.

No campaigning can be done within 100 feet of a polling place (this includes the court house during absentee voting and absentee voting satellite locations).

12-18-3. Electioneering, offices, distracting communications devices, and signature gathering prohibited near polling place--Violation as misdemeanor. Except for sample ballots and materials and supplies necessary for the conduct of the election, **no person may, in any polling place or within or on any building in which a polling place is located or within one hundred feet from any entrance leading into a polling place**, maintain a campaign office or public address system, or use any communication or photographic device in a manner which repeatedly distracts, interrupts, or intimidates any voter or election worker, or display campaign posters, signs, or other campaign materials or by any like means solicit any votes for or against any person or political party or position on a question submitted or which may be submitted. No person may engage in any practice which interferes with the voter's free access to the polls or disrupts the administration of the polling place, or conduct any petition signature gathering, on the day of an election, within one hundred feet of a polling place. For the purposes of this section, the term, polling place, means a designated place voters may go to vote on the day of the election or go to vote absentee. A violation of this section is a Class 2 misdemeanor.

The county may also have an ordinance that regulates political campaign signs outside of the city limits. The South Dakota Department of Transportation regulates the use of right-of-ways. The use of right-of-ways is reserved for highway signage. Any sign in the right-of-way that is not required for traffic control as authorized by law is prohibited and will be removed. This includes both candidate and ballot issue signs. For more information regarding right-of-ways, please contact the Department of Transportation at 605-773-5103.