

5:02:05:02.01. Instructions to the voters using optical scan ballots. The instructions to be posted in 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 he or she chooses 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

Completely 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.



WRONG



WRONG



WRONG



RIGHT

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 he or she chooses to help the voter 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.

Any person who is convicted of a felony on or after July 1, 2012, loses the right to vote. However, any such person may register to vote following the completion of the person's felony sentence.

Any person who is convicted of a felony on or before June 30, 2012, and who receives a sentence of imprisonment to the adult penitentiary system, including a suspended execution of sentence, loses the right to vote. Any such person so sentenced may register to vote following completion of the person's sentence. Further information is available at www.sdsos.gov.

ELECTION CRIMES

Anyone who makes a false statement when voting, tries to vote knowing he or she is 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; 32 SDR 225, effective July 3, 2006; 36 SDR 209, effective June 30, 2010; 39 SDR 123, effective January 16, 2013; 42 SDR 15, effective August 11, 2015.

General Authority: SDCL 12-1-9(3), 12-1-9(9).

Law Implemented: SDCL 12-4-18, 12-16-23, 12-16-25, 23A-27-35, USC 1973gg-6(g).