# 2020-2021
# MUNICIPAL AND SCHOOL ELECTION WORKSHOP

## WEBINAR 3

*Sponsored by*

**Secretary of State's Office**

**South Dakota Municipal League**

**Associated School Boards of South Dakota**

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# Ballot Preparation

- Types of ballots:
  - Paper Ballots – make your own or have them professionally printed.
  - Automated Tabulating System Ballots (optical scan).
- Candidate order:
  - We encourage you to notify the candidates of the date for the drawing.  Candidates may have witnesses present when drawing for candidate order.
  - Schools – draw by lot (SDCL 13-7-13).
  - Municipalities – draw by lot (SDCL 9-13-21).
- List names on the ballot exactly as they appear on the petition.
- Do not include titles or political party affiliation on the <u>ballot</u>.  A title is not a part of the name.

# BALLOT PREPARATION

## BALLOT FORM:

- Municipal Election (ARSD 5:02:06:12)
- School Board Election (ARSD 5:02:06:15)
- Special Elections (ARSD 5:02:06)
- If a <u>combined election</u> and you use <u>hand-counted</u> paper ballots:
  - One of the ballots must be **white**.
  - Contrasting colors for the other ballots.
  - **Cannot** use yellow paper for ballots as that **<u>must be</u>** the color used for Sample Ballots.
  - You cannot combine ballots into one ballot, **<u>unless</u>** you are using optical scan ballots.

**Hand-Counted Paper Ballot**

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 a check mark (✓) in the square in front of the name. DO NOT cast more votes than are allowed in each race.

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

☐ John Doe

☐ Richard Roe

For (City Commission, City Council, Alderman, Trustee), _____ year term, you may vote for up to _____ or leave it blank

☐ John Doe

☐ Richard Roe

☐ John Smith

For (City Commission, City Council, Alderman, Trustee), _____ year term, you may vote for one or leave it blank.

☐ John Doe

☐ Richard Roe

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

☐ John Doe

☐ Richard Roe

☐ John Smith

For City Council at Large, _____ year term, you may vote for one or leave it blank

☐ John Doe

☐ Richard Roe

# Hand-Counted Paper Ballot

**5:02:06:15. School board election.** The school board election ballot must be white and must be in the following form:

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

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

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

☐ John Doe

☐ Richard Roe

☐ John Smith

# IMPORTANT RECOMMENDATION

# PROOFRAED the BALLET!

I do my best proofreading after I hit send.

# DOES ANYONE USE OPTICAL SCAN BALLOTS?

**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 (subdivision 1 and 8) or presidential delegates and alternates (subdivision 2 or 3 and 8), at the beginning of the portion containing other candidates (subdivision 4 and 8) and at the beginning of the portion containing ballot questions (subdivision 5 and 8). The instructions for all elections must be in the following form without the subdivision numbers:

     (1)  To vote for a group of presidential electors FILL IN (Bold) the oval (●) next to the names.

     (2)  If the delegates and alternates are printed on the ballot use: To vote for a group of presidential delegates and alternates FILL IN (Bold) the oval (●) next to the names.

     (3)  If the political party does not have the delegates and alternates on the ballot use: To vote for a person FILL IN (Bold) the oval (●) next to the name.

**5:02:06:01.02. Optical scan ballot instructions** *cont'd*

    (4)  To vote for a person **FILL IN** (Bold) the oval ( ● ) next to the name.

    (5)  To vote on a ballot question **FILL IN** (Bold) the oval ( ● ) next to "yes" or "no".

    (6)  Use only a pencil or pen.

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

    (8)  **DO NOT** (Bold) cast more votes than are allowed in each race.

**Printers note:** Subdivisions 6 and 7 shall be included in the first instruction box only. If the ballot has columns, the words "Go to top of next column" shall 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" shall be printed in the lower right corner.
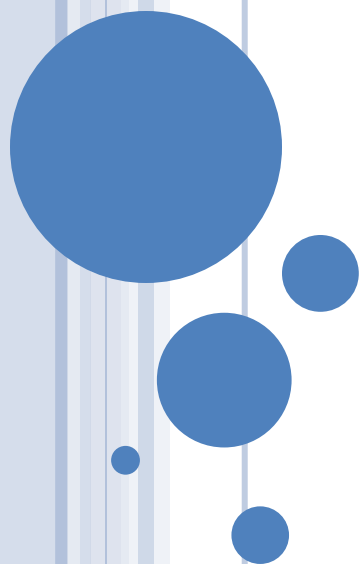
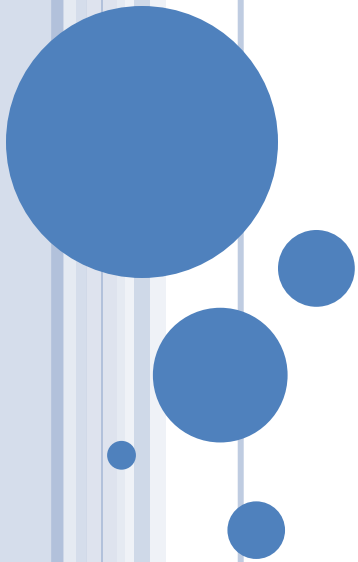# Optical Scan Ballot

Front Side:

| OFFICIAL | PARTY PRIMARY ELECTION BALLOT | |
|---|---|---|
| June ____, _____ | _____ County, South Dakota | ~~Ballot Stamp~~ |

| INSTRUCTIONS TO THE VOTER: Insert appropriate instructions from ARSD 5:02:06:01.02 | | |

**For Presidential Delegates and Alternates**
You may vote for one slate or leave it blank.

◯ Candidates preferring
John Hall
for President
Delegates:
John Doe
Jane Doe

Pat Jones
Alternates:
John Doe
Jane Doe
Pat Jones

◯ Candidates preferring
Jane Smith

for President

Delegates:
John Doe
Jane Doe
Pat Jones
Alternates:
John Doe

Jane Doe

Pat Jones

◯ Candidates preferring
Pat Jones
for President
Delegates:
John Doe
Jane Doe

Pat Jones

Alternates:
John Doe
Jane Doe
Pat Jones

| INSTRUCTIONS TO THE VOTER: Insert appropriate instructions from ARSD 5:02:06:01.02 |

For Delegates to Support a Presidential Candidate
You may vote for one or leave it blank.

◯ Delegates to support
John Doe

◯ Delegates to support
Jane Smith

◯ Delegates to support
Pat Jones

**For United States Senator**
You may vote for one or leave it blank.

◯ John Doe

◯ Jane Smith

◯ Pat Jones

**For United States Representative**
You may vote for one or leave it blank.

◯ John Doe

◯ Jane Smith

◯ Pat Jones

**For Governor**
You may vote for one or leave it blank.

◯ John Doe

◯ Pat Jones

◯ Mary Johnson

**For State Senator, District _____**
You may vote for one or leave it blank.

◯ John Doe

◯ Jane Smith

◯ Pat Jones

**For State Representative, District _____**
You may vote for up to two or leave it blank.

◯ John Doe

◯ Jane Smith

◯ Pat Jones

◯ Jill Doe

◯ Shannon McGee

◯ Bill Smith

**For State Representative, District _____ (A or B)**
You may vote for one or leave it blank.

◯ John Doe

◯ Jane Smith

◯ Pat Jones

**For (County Treasurer) or (County Finance Officer)**
You may vote for one or leave it blank.

◯ John Doe

◯ Jane Smith

◯ Pat Jones

**For States Attorney**
You may vote for one or leave it blank.

◯ John Doe

◯ Jane Smith

◯ Pat Jones

**For Sheriff**
You may vote for one or leave it blank.

◯ John Doe

◯ Jane Smith

◯ Pat Jones

**For (County Auditor) or (County Finance Officer)**
You may vote for one or leave it blank.

◯ John Doe

◯ Jane Smith

◯ Pat Jones

**For Register of Deeds**
You may vote for one or leave it blank.

◯ John Doe

◯ Jane Smith

◯ Pat Jones

| Go to top of next column | Go to top of next column | Turn Page |

# WHO MAY VOTE?

Voter Registration and Residency

# VOTER REGISTRATION LOCATIONS

- County Auditor's office

- **City finance office** – **you are an <u>official voter registration location</u>**

  - City Finance Officers' it is your duty to insure the form is complete, SDCL 12-4-7.2

  - **YOU must deliver or mail** that registration to the County Auditor's office

    - A voter registration completed at a city finance office during any given week commencing on Tuesday through the following Monday shall be sent to the appropriate county auditor no later than the following Wednesday.

- Driver's license station

- Public assistance agencies providing food stamps, TANF or WIC

- Department of Human Services offices which provide assistance to the disabled

- Military recruitment offices

- Secretary of State's Office

# VOTER REGISTRATION PROCESS

- Ways for someone to register to vote:
  - **Drivers Licensing application**
    - There is a section to register to vote.
    - This voter registration information is sent electronically to the County Auditor.
  - **Voter Registration Application** (paper)
  - **Online Voter Registration System**
    - Only individuals who are in the military or uniformed services, their spouse or dependent(s) or an overseas citizen may use this electronic voter registration system.
    - **2020 Legislative Proposal:** to allow all individuals to register via an online system

# South Dakota Voter Registration Form

_____County

| Use this form to: Register to vote or report a name, address, or party change. |
|---|
| **Please print. Complete the entire form. Return this form to your county auditor.** |

**The deadline for voter registration is 15 days before any election. Your form must be received by the county 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. For more information, visit www.sdsos.gov.

Are you a citizen of the United States of America? ☐ Yes ☐ No

Will you be 18 years of age on or before the next election? ☐ Yes ☐ No

If you checked 'No' in response to either of these questions, do not complete this form.

| | | | |
|---|---|---|---|
| **1** Last Name | First Name | Middle Name(s)/Initial | Suffix |
| **2** Residence Address | Apt. or Lot #   City | State | Zip Code |
| **3** Mailing Address (if different) | City | State | Zip Code |
| **3a** If Residence Address is a PO Box, rural box, or general delivery, you must give the location of your residence: | | | |

| **4** Date of Birth (Required): Month / Day / Year | **5** Telephone Number | **6** South Dakota Driver License Number (Required) |
|---|---|---|
| **7** **Choice of Party – See information in the box below:** | **8** Email Address | If you do not have a current SD Driver License, provide the last 4 digits of Social Security Number |

*Choice of Party Information:* If you are currently registered to vote and you leave the choice of party field blank, you will remain registered with your current party affiliation. If you are not currently registered to vote and you leave the choice of party field blank, you will be entered as an independent/no party affiliation voter, which is not a political party in South Dakota.

**Previous Voter Registration Information Required Below. Use this section to cancel your previous voter registration:**

| | | | |
|---|---|---|---|
| **9** Previous Last Name | First Name | Middle Name(s) | Suffix |
| **10** Previous Address | City | State | Zip Code |
| **11** Previous Driver License Number and State | Previous County | Date of Birth (Required) | |

Would you like to be a precinct election worker on election day?  ☐ Yes ☐ No

| **12** I declare, under penalty of perjury (2 years imprisonment and $4,000 fine), that: <br> *I am a citizen of the United States of America; <br> *I actually live at and have no present intention of leaving the above address; <br> *I will be 18 on or before the next election; <br> *I have not been judged mentally incompetent; <br> *I am not currently serving a sentence for a felony conviction; and <br> *I authorize cancellation of my previous registration, if applicable. | Signature Required <br><br> Date: _____/_____/_____ <br> Month / Day / Year |
|---|---|

Auditor use only. Agency code:

2019

# VOTER REGISTRATION PROCESS *cont'd*

- The voter's registration date is the date the County Auditor **receives** the application, NOT the date the voter signs the application.
  - Business Managers: if a voter comes in to register to vote on the deadline day for voter registration, you may want to suggest they take their application directly to the County Auditor.  Since your office IS NOT an official registration site you aren't required to deliver that application by 5:00 pm on the deadline day in order for that voter to vote at the upcoming election
  - Finance Officers: if a voter comes in to register on the deadline day you are able to mail or deliver the application after the deadline has passed and the voter would still be registered in time to vote in the upcoming election (SDCL 12-4-5)
  - **Please place a received date stamp on all voter registration forms** (extremely important).

# VOTER REGISTRATION PROCESS *cont'd*

- The voter registration information is entered, by the County Auditor, into the statewide voter file system.
- The voter file goes through nightly checks:
  - **UJS** – felony check, mental competency
  - **Vital Records** – death records
  - **Social Security Administration** – valid social security number
  - **Drivers Licensing** – valid drivers license
- If a voter is flagged regarding any of these checks the county auditor is notified and will review and proceed according to state law.
- The voter file, every odd year, goes through a Federally required ***list maintenance*** process that cleans up the voter file. This is done by the County Auditors.

# FYI - ACTIVE VS. INACTIVE VOTERS

- **Active voter**: any voter who has voted or updated his/her voter registration information in the last four years.

- **Inactive voter**: Any voter who has not voted or updated his/her voter registration information in the last four years.

- Active and Inactive voters **may** sign petitions.

- Inactive voters may vote but are required to fill out a new voter registration form prior to voting.

- When Auditor's **calculate the number of signatures** required for a petition, they only calculate that against **active voters.**

- When the person in charge of the election **calculates voter turnout** for the election, they only calculate that against **active voters**.

SDCL 12-4-34. Registered voters referred to in other statutes. If a statute refers to registered voters, it does not include those in the inactive registration file unless specifically included. However, any voter in the inactive registration file may sign a petition.

# VOTER REGISTRATION AND RESIDENCY

## MUNICIPAL AND SCHOOL REQUIREMENTS ARE THE SAME

- Registration and residence required to vote in a municipal or school election (SDCL 9-13-4.1 and 13-7-4.2).
  - No person may vote at any municipal or school election unless the person is registered to vote pursuant to Chapter 12-4 and resides in the municipality or school district at the time of the election.
  - A person resides in the municipality or school district if the person actually lives in the municipality or school district for at least thirty days each year, is a full-time postsecondary education student who resided in the municipality or school district immediately prior to leaving for postsecondary education, or is on active duty as a member of the armed forces whose home of record is within the municipality or school district.
    - The residency requirement only applies to **city and school** elections.

# VOTER REGISTRATION AND RESIDENCY

## IMPORTANT REMINDERS

- Voter registration deadline is 5:00 p.m. local time fifteen days preceding an election (SDCL 12-4-5).

- The official in charge of local elections shall notify the county auditor in <u>odd numbered years</u> at least 45 days preceding their local elections, of precinct boundary changes if any have been made (SDCL 12-14-1.1).

- The official in charge of local elections shall notify the county auditor in <u>even numbered years</u> at least 100 days before the primary and general elections, of precinct boundary changes if any have been made (SDCL 12-14-1.1).

- When the boundaries of any election precinct shall be changed, the county auditor shall immediately change the registration list (SDCL 12-4-11).