2019-2020
MUNICIPAL AND SCHOOL ELECTION WORKSHOP
WEBINAR 4

Sponsored by
Secretary of State’s Office
South Dakota Municipal League
Associated School Boards of South Dakota
CONTACT INFORMATION -

SD SECRETARY OF STATE ELECTIONS TEAM

- Kea Warne, Director, Division of Elections
  - Kea.Warne@state.sd.us
  - 605-773-3537

- Christine Lehrkamp, State Election Coordinator
  - Christine.Lehrkamp@state.sd.us
  - 605-773-3537

- Rory Mennenger, Election & Federal Program Coordinator
  - Rory.Mennenger@state.sd.us
  - 605-773-3537

- Rachel Soulek, HAVA Coordinator
  - Rachel.Soulek@state.sd.us
  - 605-773-3537

- Bailey Tibbs, Election Assistant
  - Bailey.Tibbs@state.sd.us
  - 605-773-3537
Contact Information

- SD Municipal League
  - Lori Martinec
    - martinec@sdmunicipalleague.org
    - 605-224-8654

- Associated School Boards of South Dakota
  - Tyler Pickner, Director of Communications
    - tpickner@asbsd.org
    - 605-773-2500
  - Holly Nagel, CFO/Director of Protective Trust Services
    - hnagel@asbsd.org
    - 605-773-2500
ABSENTEE VOTING

- Any registered voter, without a reason, may vote by absentee ballot.
- Absentee ballots must be made available no later than fifteen days prior to the election.
- If you combine with a Primary or General Election, the ballots must be available 46 days prior to the election. (SDCL 9-13-21, 13-17-13 and 12-19-1.2)

On the cities and school resource page, there are PDFs available outlining how you conduct absentee voting.
There are many ways to request an absentee ballot:

- Prescribed form (ARSD 5:02:10:01) can be found at www.sdsos.gov.
- Letter (must include everything that is on the absentee ballot application)
- All of the above must be signed, dated and complete.
ABSENTEE BALLOT LOG

- Keep an absentee ballot log – (SDCL 12-19-2)
- This is a public record
- Contents prescribed in 05:02:10:06

1. Date of election and party designation if primary ballot;
2. Name of voter;
3. Current mailing address of voter;
4. Voting precinct;
5. Regular or UOCAVA voter;
6. Date mailed to voter, given to authorized messenger, or voted in office;
7. Name of authorized messenger;
8. Date returned;
9. Date application received;
10. Email address if electronic transmission requested by UOCAVA voter (this is only for an election a county auditor runs, a local election does not have the option to transmit a ballot electronically through the state UOCAVA system); and
11. Voter registration address.
**Absentee Ballot Application**

- Check registration list *before* sending an application or ballot.
  - If they aren’t registered or they are Inactive include a Voter Registration form with the application.
  - If they aren’t registered to vote or are Inactive but have submitted the absentee application, they need to complete and submit a voter registration form *before the absentee ballots are processed on election day*.
- Give these top priority since there are only 15 days of absentee voting.
Please note:
form last updated
January 4, 2018

South Dakota Absentee Ballot Application Form

<table>
<thead>
<tr>
<th>County</th>
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Please print and return to your county auditor. A new application must be completed each calendar year.

You may apply for an absentee ballot before 5:00 p.m. the day before the election for any or all general, primary, municipal, school, or any other elections conducted in this calendar year with one request. Additional information on absentee voting is available at sfosos.gov.

1. Last Name  First Name  Middle Name(s)/Initial  Suffix
2. Voter Registration Address  Apt. or Lot #  City, State  Zip Code
3. Absentee ballot mailing address (if different from Section #2)  City, State  Zip Code

**SELECT THE ELECTION(S) YOU ARE REQUESTING AN ABSENTEE BALLOT FOR:**
- All  General  Primary  Municipal  School  Any Other
- If you are registered as an independent/no party affiliation and are requesting a Primary Election ballot, you may have a choice of the following:
  - Democratic  Libertarian  Non-Political  (You can only mark one selection.)
- Daytime telephone number
  - If request is for a municipal or school election:
    - I have lived in that jurisdiction at least 30 days in the last year.
    - I am a full-time student who resided in that jurisdiction prior to leaving.

**MILITARY AND OVERSEAS CITIZENS ONLY:**
- Yes  No - I am a member of the Uniformed Services or Merchant Marine on active duty
- Yes  No - I am an eligible spouse or dependent of a member of the Uniformed Services or Merchant Marine on active duty
- Yes  No - I am a U.S. citizen residing outside the United States
- If you checked no for all questions, proceed to section #7.

5. Daytime telephone number

6. **E-mail address (MILITARY AND OVERSEAS CITIZENS ONLY):**

   - *An overseas military, overseas citizen, or state-side military, a spouse or dependent of the same, voter is not required to submit a photocopy of the voter's ID.*

   - *Any military and overseas voter may submit a signed application for absentee ballot by fax or e-mail.*

   - An acceptable ID is a South Dakota driver's license or non-driver ID card, a passport or other picture ID issued by the United States government, a tribal photo ID, or a current student photo ID issued by a South Dakota high school or postsecondary education institution.

   - Copy of photo identification is attached OR
   - I hereby verify that I am the person named above and these statements made by me on this application are true and correct.

7. Sworn to me before this __________ day of __________, 20____. (Seal)
   - Notary Signature

8. **AUTHORIZED MESSENGER REQUEST DUE TO SICKNESS OR DISABILITY ONLY:**

   - The deadline to request is 3:00 p.m. on Election Day

   - Last Name  First Name  Daytime telephone

   - Address  Apt. or Lot #  City, State  Zip Code

   - As a registered voter, 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.

   - As the authorized messenger, I acknowledge receipt of the ballot for the above named voter on: Date: ______/____/____
   - Time: ______/____/____
   - Are you serving as an authorized messenger for any other voter?  Yes  No

   - Voter’s Signature
   - Authorized Messenger’s Signature

1/4/18
Absensee Voting – ID Requirements

- **In-Person Absentee**
  - Voter must show photo ID or complete personal ID affidavit.

- Absentee by **MAIL**
  - Absentee Ballot Application Form must be notarized or accompanied with a copy of their photo ID.

- **UOCAVA** (Military servicemen, spouse or dependent and overseas citizens, spouse or dependent)
  - ID requirements are **waived** for all voters covered under UOCAVA.
  - Only UOCAVA voters may submit their absentee request by email or fax.
  - Cities and Schools are not able to send ballots to UOCAVA voters electronically.
IN-PERSON ABSENTEE APPLICATION PROCESS

- Check voter registration list.
- Have voter fill out combined absentee ballot application/envelope.
- Confirm with the voter if they want to vote in-person or if they want to take the ballot with them. This will save you time.
- Voter must show photo ID or complete personal identification affidavit.
- Give voter the correct ballot.
- Update absentee voter log.
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 If you are registered as an independent and are requesting a primary ballot, you may have a choice of ballots.

Please check one of the following: ☐ Non-political ballot or ☐ Democratic Party ballot

☐ 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 $10,000 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: __________
REVIEW THE ABSENTEE VOTING PROCESS DOCUMENT

MAIL-IN ABSENTEE VOTING

- This process is used for any voter who wants to vote absentee through the mail.
- When you receive the absentee ballot application:
  - Is the person a registered voter?
  - Is the application signed and completed?
  - Is the application notarized, or signed by an official authorized to administer oaths, or accompanied by a copy of a photo ID? **This step is waived for all voters covered under UOCAVA.**
- Send the voter the correct ballot, instructions (ARSD 05:02:10:04) and return envelope (ARSD 05:02:10:05).
- Update absentee voter log (ARSD 05:02:10:06).
ABSENTEE BALLOT PACKET

- Correct ballot (ballot used on election day)
- Instructions to the voter (ARSD 5:02:10:04)
- Return envelope (ARSD 5:02:10:05)
- There is a different return envelope for UOCAVA voters that is postage paid (ARSD 5:02:10:08)
UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT (UOCAVA)

- UOCAVA voters include:
  - Stateside military members (away from their SD voting residence)
  - Military members stationed outside of the U.S.
  - Overseas citizens
  - A spouse or dependent of any of the above
FPCA
FEDERAL
POST CARD
APPLICATION
UOCAVA VOTERS

- Return envelope for those military (stateside or overseas) and overseas citizen voters (residing outside of the U.S.) must be in this format (05:02:10:08) which provides free postage for those voters to return their voted absentee ballot to you.
  - The postage is free if mailed in a U.S. postal system.
  - If mailed in a non-U.S. Postal system the voter will have to pay the postage.
**Other Absentee Provisions**

- Absentee **application** must be received by 5:00 p.m. the day **before** the election.

- One application may apply to all elections in the calendar year if the voter has indicated that.
  - If the voter’s absentee ballot mailing address changes, the voter MUST submit a new absentee ballot application.
  - If you receive an application for other elections make sure to give a copy of the application to the other jurisdictions.

- Make sure the County Auditor has the correct email to send absentee ballot applications to you. The voter system that the auditors use, will automatically forward the application to you if the voter requested ballots for city and/or school elections.
A voter **cannot** use a Power of Attorney to sign the application for them. A voter has to make some sort of mark per SDCL 2-14-2 (25).

- An individual is allowed to attest to the mark by writing the voter’s name and then the individual signs and prints their own name indicating they were a witness to the voter making a mark.

If an absentee voter dies before Election Day, the ballot is not processed or counted, the ballot envelope must be pulled, not opened and not counted. Write on the envelope “Unopened by reason of death of voter.”

Inactive voters must complete a new registration form before voting absentee.

- Have the voter fill out the form and **mail it back separately** from their ballot or else the ballot **may not** be counted.
Absenteere Ballot Processing

- Election board will process absentee ballots at the polling place whenever they have time during the Election Day or immediately after the polls close.

- No absentee ballot may be accepted after the polls close.
**Absentee Ballot Processing at Polling Location**

**Processing:**

- Compare the signature on the ballot envelope with the signature on the application, except combined application/return envelope will have no signatures to compare.

- Mark the registration list and enter the name in the pollbook.

- Open the envelope and place the official ballot stamp on the ballot and place the ballot in the ballot box.
AUTHORIZED MESSENGER

- Who can use an authorized messenger?
  - A voter who is **confined because of sickness or disability**.
  - Work is not considered confinement. Employers are required under law to allow an employee up to 2 hours to be absent to vote (SDCL 12-3-5).

- Voter designates on the application for someone to bring them a ballot.

- If a nursing home requests that you bring ballots to the residents to vote absentee, you are **NOT ALLOWED UNDER LAW** to do so. (SDCL 12-19-9.1)
A candidate for any elective office cannot be an authorized messenger (SDCL 12-19-7.1).

No authorized messenger may, in the presence of the voter at or before the time of voting, display campaign posters, signs or other campaign materials or by any like means solicit any votes for or against any person, political party or position on a question submitted. A violation of this section is a Class 2 misdemeanor (SDCL 12-19-7.2).

If a person is an authorized messenger for more than one voter, he must notify the person in charge of the election of all voters for whom he is a messenger (SDCL 12-19-2.2).