



# Secretary of State

Jason M. Gant

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July 20, 2011

Chief, Voting Section  
Civil Rights Division  
Room 7254 – NWB  
U.S. Department of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20530

RE: Submission under Section 5, Voting Rights Act, State of South Dakota

Dear Voting Section Chief:

**1. SDCL 12-4-37**

In accordance with Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. §§ 1973 *et seq.*, the South Dakota Secretary of State's Office hereby submits for preclearance the act to provide deadlines for the transmission of voter registration files, which was approved by the 86<sup>th</sup> South Dakota Legislature and signed by Governor Daugaard on March 8, 2011. This submission contains the information required by 28 C.F.R. § 51.27.

**a. 28 C.F.R. § 51.27 (a) – (b): Approval of Changes**

A copy of House Bill 1051 passed by the 86<sup>th</sup> South Dakota Legislature and approving the changes is attached to this submission.

**b. 28 C.F.R. § 51.27 (c): Changes Affecting Voting**

House Bill 1051 amends the current statute, South Dakota Codified Law (SDCL) 12-4-37, to provide deadlines for the transmission of voter registration files.

**c. 28 C.F.R. § 51.27 (d) – (e): Submitting Authority**

The submitting authority is the South Dakota Secretary of State's Office.

The person making this submission is Jason Gant, Secretary of State for the State of South Dakota. The Secretary of State can be reached at the State Capitol, located at 500

**Administration**  
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East Capitol Avenue, Suite 204, Pierre, SD 57501. Jason Gant's telephone number is (605)773-3537.

**d. 28 C.F.R. § 51.27 (g): Authority Responsible for Making the Changes and the Mode of the Changes**

The authority responsible for the passage of House Bill 1051 was the 86<sup>th</sup> South Dakota Legislature. The changes that form the basis of this submission were accomplished by a vote of the 86<sup>th</sup> South Dakota Legislature. The 86<sup>th</sup> South Dakota House of Representatives was lawfully called into order on the 13<sup>th</sup> Legislative Day and voted in favor of the measure on January 31, 2011 and the 86<sup>th</sup> South Dakota Senate was lawfully called into order on the 29<sup>th</sup> Legislative Day and voted in favor of the measure on February 28, 2011. House Bill 1051 was signed by the Speaker of the House on March 1, 2011 and by the Senate President on March 2, 2011. Governor Daugaard signed House Bill 1051 on March 8, 2011.

**e. 28 C.F.R. § 51.27 (h): Statutory Authority for the Changes**

Article III of the South Dakota Constitution allows the Legislative Department the power to propose measures and enact those measures into law by a majority vote of all the members elected to each house of Legislature. According to Article IV of the South Dakota Constitution, any bill presented to the Governor for signature shall become law when the Governor signs the bill or fails to veto the bill within five days, not including Saturdays, Sundays, or holidays, of presentation.

**f. 28 C.F.R. § 51.27 (i) – (k): Effective Date of the Changes**

The changes were adopted by the 86<sup>th</sup> South Dakota Legislature and House Bill 1051 was signed by Governor Daugaard on March 8, 2011. The changes took effect on July 1, 2011.

**g. 28 C.F.R. § 51.27 (l): Scope of the Changes**

The changes affect the entire jurisdiction of the State of South Dakota and all 66 counties, including Shannon and Todd Counties that fall under Section 5 of the Voting Rights Act jurisdiction.

**h. 28 C.F.R. § 51.27 (m): Reasons for the Change**

Establish a timeline for county election officials to enter and transport election history data to the Secretary of State's Office. The timeline needs to be established to provide adequate documentation of election history.

**i. 28 C.F.R. § 51.27 (n): Affect on Racial or Language Minority Groups**

The Secretary of State's Office feels that there will not be an effect on racial or language minority groups.

**j. 28 C.F.R. § 51.27 (o): Pending Litigation**

The State of South Dakota is not aware of any pending or future litigation concerning the Changes or related voting practices.

**k. 28 C.F.R. § 51.27 (p): Prior Practice Preclearance**

The Secretary of State's Office is unaware of any prior preclearance of these changes.

**2. SDCL 12-6-8.1**

In accordance with Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. §§ 1973 *et seq.*, the South Dakota Secretary of State's Office hereby submits for preclearance the act to revise the deadline for withdrawing from a primary election, which was approved by the 86<sup>th</sup> South Dakota Legislature and signed by Governor Dugaard on March 28, 2011. This submission contains the information required by 28 C.F.R. § 51.27.

**a. 28 C.F.R. § 51.27 (a) – (b): Approval of Changes**

A copy of House Bill 1104 passed by the 86<sup>th</sup> South Dakota Legislature and approving the changes is attached to this submission.

**b. 28 C.F.R. § 51.27 (c): Changes Affecting Voting**

House Bill 1104 amends the current statute, South Dakota Codified Law (SDCL) 12-6-8.1, to revise the deadline for withdrawing from a primary election.

**c. 28 C.F.R. § 51.27 (d) – (e): Submitting Authority**

The submitting authority is the South Dakota Secretary of State's Office.

The person making this submission is Jason Gant, Secretary of State for the State of South Dakota. The Secretary of State can be reached at the State Capitol, located at 500 East Capitol Avenue, Suite 204, Pierre, SD 57501. Jason Gant's telephone number is (605)773-3537.

**d. 28 C.F.R. § 51.27 (g): Authority Responsible for Making the Changes and the Mode of the Changes**

The authority responsible for the passage of House Bill 1104 was the 86<sup>th</sup> South Dakota Legislature. The changes that form the basis of this submission were accomplished by a vote of the 86<sup>th</sup> South Dakota Legislature. The 86<sup>th</sup> South Dakota House of Representatives was lawfully called into order on the 25<sup>th</sup> Legislative Day and voted in favor of the measure on February 22, 2011 and the 86<sup>th</sup> South Dakota Senate was lawfully called into order on the 30<sup>th</sup> Legislative Day and voted in favor of the measure on March 1, 2011. House Bill 1104 was signed by the Speaker of the House on March 2, 2011 and by the Senate President on March 3, 2011. Governor Daugaard signed House Bill 1104 on March 28, 2011.

**e. 28 C.F.R. § 51.27 (h): Statutory Authority for the Changes**

Article III of the South Dakota Constitution allows the Legislative Department the power to propose measures and enact those measures into law by a majority vote of all the members elected to each house of Legislature. According to Article IV of the South Dakota Constitution, any bill presented to the Governor for signature shall become law when the Governor signs the bill or fails to veto the bill within five days, not including Saturdays, Sundays, or holidays, of presentation.

**f. 28 C.F.R. § 51.27 (i) – (k): Effective Date of the Changes**

The changes were adopted by the 86<sup>th</sup> South Dakota Legislature and House Bill 1104 was signed by Governor Daugaard on March 28, 2011. The changes took effect on July 1, 2011.

**g. 28 C.F.R. § 51.27 (l): Scope of the Changes**

The changes affect the entire jurisdiction of the State of South Dakota and all 66 counties, including Shannon and Todd Counties that fall under Section 5 of the Voting Rights Act jurisdiction.

**h. 28 C.F.R. § 51.27 (m): Reasons for the Change**

Previously in state law, the deadline for withdrawal from a Primary Election was before the deadline to file nominating petitions for a Primary Election. The Secretary of State's Office, South Dakota Legislature, and Governor Daugaard determined it was necessary to establish a deadline after the deadline to file, not before.

**i. 28 C.F.R. § 51.27 (n): Effect on Racial or Language Minority Groups**

The Secretary of State's Office feels that there will not be an effect on racial or language minority groups.

**j. 28 C.F.R. § 51.27 (o): Pending Litigation**

The State of South Dakota is not aware of any pending or future litigation concerning the Changes or related voting practices.

**k. 28 C.F.R. § 51.27 (p): Prior Practice Preclearance**

The Secretary of State's Office is unaware of any prior preclearance of these changes.

**3. SDCL 12-4-4.4**

In accordance with Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. §§ 1973 *et seq.*, the South Dakota Secretary of State's Office hereby submits for preclearance the act to allow certain adult children of overseas citizens to vote in the state, which was approved by the 86<sup>th</sup> South Dakota Legislature and signed by Governor Dugaard on March 28, 2011. This submission contains the information required by 28 C.F.R. § 51.27.

**a. 28 C.F.R. § 51.27 (a) – (b): Approval of Changes**

A copy of House Bill 1130 passed by the 86<sup>th</sup> South Dakota Legislature and approving the changes is attached to this submission.

**b. 28 C.F.R. § 51.27 (c): Changes Affecting Voting**

House Bill 1130 amends the current statute, South Dakota Codified Law (SDCL) 12-4-4.4, to allow certain adult children of overseas citizens to vote in the state.

**c. 28 C.F.R. § 51.27 (d) – (e): Submitting Authority**

The submitting authority is the South Dakota Secretary of State's Office.

The person making this submission is Jason Gant, Secretary of State for the State of South Dakota. The Secretary of State can be reached at the State Capitol, located at 500 East Capitol Avenue, Suite 204, Pierre, SD 57501. Jason Gant's telephone number is (605)773-3537.

**d. 28 C.F.R. § 51.27 (g): Authority Responsible for Making the Changes and the Mode of the Changes**

The authority responsible for the passage of House Bill 1130 was the 86<sup>th</sup> South Dakota Legislature. The changes that form the basis of this submission were accomplished by a vote of the 86<sup>th</sup> South Dakota Legislature. The 86<sup>th</sup> South Dakota House of Representatives was lawfully called into order on the 22<sup>nd</sup> Legislative Day and voted in favor of the measure on February 15, 2011 and the 86<sup>th</sup> South Dakota Senate was

lawfully called into order on the 33<sup>rd</sup> Legislative Day and voted in favor of the measure on March 7, 2011. House Bill 1130 was signed by the Speaker of the House on March 9, 2011 and by the Senate President on March 10, 2011. Governor Dugaard signed House Bill 1130 on March 28, 2011.

**e. 28 C.F.R. § 51.27 (h): Statutory Authority for the Changes**

Article III of the South Dakota Constitution allows the Legislative Department the power to propose measures and enact those measures into law by a majority vote of all the members elected to each house of Legislature. According to Article IV of the South Dakota Constitution, any bill presented to the Governor for signature shall become law when the Governor signs the bill or fails to veto the bill within five days, not including Saturdays, Sundays, or holidays, of presentation.

**f. 28 C.F.R. § 51.27 (i) – (k): Effective Date of the Changes**

The changes were adopted by the 86<sup>th</sup> South Dakota Legislature and House Bill 1130 was signed by Governor Dugaard on March 28, 2011. The changes took effect on July 1, 2011.

**g. 28 C.F.R. § 51.27 (l): Scope of the Changes**

The changes affect the entire jurisdiction of the State of South Dakota and all 66 counties, including Shannon and Todd Counties that fall under Section 5 of the Voting Rights Act jurisdiction.

**h. 28 C.F.R. § 51.27 (m): Reasons for the Change**

This law allows children of overseas citizens the ability to vote. Even if these children have never resided within the United States of America.

**i. 28 C.F.R. § 51.27 (n): Effect on Racial or Language Minority Groups**

The Secretary of State's Office feels that there will not be an effect on racial or language minority groups.

**j. 28 C.F.R. § 51.27 (o): Pending Litigation**

The State of South Dakota is not aware of any pending or future litigation concerning the Changes or related voting practices.

**k. 28 C.F.R. § 51.27 (p): Prior Practice Preclearance**

The Secretary of State's Office is unaware of any prior preclearance of these changes.

#### **4. SDCL 12-16-1**

In accordance with Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. §§ 1973 *et seq.*, the South Dakota Secretary of State's Office hereby submits for preclearance the act to establish a date to begin absentee voting and to revise the deadline for the printing of ballots, which was approved by the 86<sup>th</sup> South Dakota Legislature and signed by Governor Dugaard on March 28, 2011. This submission contains the information required by 28 C.F.R. § 51.27.

##### **a. 28 C.F.R. § 51.27 (a) – (b): Approval of Changes**

A copy of House Bill 1141 passed by the 86<sup>th</sup> South Dakota Legislature and approving the changes is attached to this submission.

##### **b. 28 C.F.R. § 51.27 (c): Changes Affecting Voting**

House Bill 1141 amends the current statute, South Dakota Codified Law (SDCL) 12-16-1, to establish a date to begin absentee voting and to revise the deadline for the printing of ballots.

##### **c. 28 C.F.R. § 51.27 (d) – (e): Submitting Authority**

The submitting authority is the South Dakota Secretary of State's Office.

The person making this submission is Jason Gant, Secretary of State for the State of South Dakota. The Secretary of State can be reached at the State Capitol, located at 500 East Capitol Avenue, Suite 204, Pierre, SD 57501. Jason Gant's telephone number is (605)773-3537.

##### **d. 28 C.F.R. § 51.27 (g): Authority Responsible for Making the Changes and the Mode of the Changes**

The authority responsible for the passage of House Bill 1141 was the 86<sup>th</sup> South Dakota Legislature. The changes that form the basis of this submission were accomplished by a vote of the 86<sup>th</sup> South Dakota Legislature. The 86<sup>th</sup> South Dakota House of Representatives was lawfully called into order on the 15<sup>th</sup> Legislative Day and voted in favor of the measure on February 2, 2011 and the 86<sup>th</sup> South Dakota Senate was lawfully called into order on the 34<sup>th</sup> Legislative Day and voted in favor of the measure on March 8, 2011. House Bill 1141 was signed by the Speaker of the House on March 9, 2011 and by the Senate President on March 10, 2011. Governor Dugaard signed House Bill 1141 on March 28, 2011.

##### **e. 28 C.F.R. § 51.27 (h): Statutory Authority for the Changes**

Article III of the South Dakota Constitution allows the Legislative Department the power to propose measures and enact those measures into law by a majority vote of all the

members elected to each house of Legislature. According to Article IV of the South Dakota Constitution, any bill presented to the Governor for signature shall become law when the Governor signs the bill or fails to veto the bill within five days, not including Saturdays, Sundays, or holidays, of presentation.

**f. 28 C.F.R. § 51.27 (i) – (k): Effective Date of the Changes**

The changes were adopted by the 86<sup>th</sup> South Dakota Legislature and House Bill 1141 was signed by Governor Daugaard on March 28, 2011. The changes took effect on July 1, 2011.

**g. 28 C.F.R. § 51.27 (l): Scope of the Changes**

The changes affect the entire jurisdiction of the State of South Dakota and all 66 counties, including Shannon and Todd Counties that fall under Section 5 of the Voting Rights Act jurisdiction.

**h. 28 C.F.R. § 51.27 (m): Reasons for the Change**

Previously in state law, the date to start absentee voting was not established, but mandated at 45 days prior to the election because of the Military and Overseas Voting Empowerment (MOVE) Act. Therefore, the Secretary of State's Office, South Dakota Legislature, and Governor Daugaard determined it was necessary to establish a deadline for the printing of ballots and to be in the possession of the local election official no later than 48 days prior to the election. Also, since 45 days prior to the election always landed on a Saturday, 46 days prior moves the start date to a Friday and gives the local election official the necessary time to send the ballots out.

**i. 28 C.F.R. § 51.27 (n): Effect on Racial or Language Minority Groups**

The Secretary of State's Office feels that there will not be an effect on racial or language minority groups.

**j. 28 C.F.R. § 51.27 (o): Pending Litigation**

The State of South Dakota is not aware of any pending or future litigation concerning the Changes or related voting practices.

**k. 28 C.F.R. § 51.27 (p): Prior Practice Preclearance**

The Secretary of State's Office is unaware of any prior preclearance of these changes.



**5. SDCL 12-19-2.3**

In accordance with Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. §§ 1973 *et seq.*, the South Dakota Secretary of State's Office hereby submits for preclearance the act to authorize the secretary of state to allow a person in charge of elections to use the state system, which was approved by the 86<sup>th</sup> South Dakota Legislature and signed by Governor Dugaard on March 7, 2011. This submission contains the information required by 28 C.F.R. § 51.27.

**a. 28 C.F.R. § 51.27 (a) – (b): Approval of Changes**

A copy of House Bill 1162 passed by the 86<sup>th</sup> South Dakota Legislature and approving the changes is attached to this submission.

**b. 28 C.F.R. § 51.27 (c): Changes Affecting Voting**

House Bill 1162 amends the current statute, South Dakota Codified Law (SDCL) 12-19-2.3, to authorize the secretary of state to allow a person in charge of election to use the state system.

**c. 28 C.F.R. § 51.27 (d) – (e): Submitting Authority**

The submitting authority is the South Dakota Secretary of State's Office.

The person making this submission is Jason Gant, Secretary of State for the State of South Dakota. The Secretary of State can be reached at the State Capitol, located at 500 East Capitol Avenue, Suite 204, Pierre, SD 57501. Jason Gant's telephone number is (605)773-3537.

**d. 28 C.F.R. § 51.27 (g): Authority Responsible for Making the Changes and the Mode of the Changes**

The authority responsible for the passage of House Bill 1162 was the 86<sup>th</sup> South Dakota Legislature. The changes that form the basis of this submission were accomplished by a vote of the 86<sup>th</sup> South Dakota Legislature. The 86<sup>th</sup> South Dakota House of Representatives was lawfully called into order on the 18<sup>th</sup> Legislative Day and voted in favor of the measure on February 8, 2011 and the 86<sup>th</sup> South Dakota Senate was lawfully called into order on the 27<sup>th</sup> Legislative Day and voted in favor of the measure on February 24, 2011. House Bill 1162 was signed by the Speaker of the House on February 25, 2011 and by the Senate President on February 28, 2011. Governor Dugaard signed House Bill 1162 on March 7, 2011.

**e. 28 C.F.R. § 51.27 (h): Statutory Authority for the Changes**

Article III of the South Dakota Constitution allows the Legislative Department the power to propose measures and enact those measures into law by a majority vote of all the

members elected to each house of Legislature. According to Article IV of the South Dakota Constitution, any bill presented to the Governor for signature shall become law when the Governor signs the bill or fails to veto the bill within five days, not including Saturdays, Sundays, or holidays, of presentation.

**f. 28 C.F.R. § 51.27 (i) – (k): Effective Date of the Changes**

The changes were adopted by the 86<sup>th</sup> South Dakota Legislature and House Bill 1162 was signed by Governor Daugaard on March 7, 2011. The changes took effect on July 1, 2011.

**g. 28 C.F.R. § 51.27 (l): Scope of the Changes**

The changes affect the entire jurisdiction of the State of South Dakota and all 66 counties, including Shannon and Todd Counties that fall under Section 5 of the Voting Rights Act jurisdiction.

**h. 28 C.F.R. § 51.27 (m): Reasons for the Change**

This law allows local election officials to use the state software to provide sample ballot access, Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) – covered absentee ballot access, and election results.

**i. 28 C.F.R. § 51.27 (n): Effect on Racial or Language Minority Groups**

The Secretary of State’s Office feels that there will not be an effect on racial or language minority groups.

**j. 28 C.F.R. § 51.27 (o): Pending Litigation**

The State of South Dakota is not aware of any pending or future litigation concerning the Changes or related voting practices.

**k. 28 C.F.R. § 51.27 (p): Prior Practice Preclearance**

The Secretary of State’s Office is unaware of any prior preclearance of these changes.

**6. SDCL House Bill 1173**

In accordance with Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. §§ 1973 *et seq.*, the South Dakota Secretary of State’s Office hereby submits for preclearance the act to require the person in charge of local elections to notify the secretary of state when the dates of elections have been set, which was approved by the 86<sup>th</sup> South Dakota Legislature and signed by Governor Daugaard on March 28, 2011. This submission contains the information required by 28 C.F.R. § 51.27.

**a. 28 C.F.R. § 51.27 (a) – (b): Approval of Changes**

A copy of House Bill 1173 passed by the 86<sup>th</sup> South Dakota Legislature and approving the changes is attached to this submission.

**b. 28 C.F.R. § 51.27 (c): Changes Affecting Voting**

House Bill 1173 amends South Dakota Codified Law by adding a new section, to require the person in charge of local elections to notify the secretary of state when the dates of elections have been set.

**c. 28 C.F.R. § 51.27 (d) – (e): Submitting Authority**

The submitting authority is the South Dakota Secretary of State's Office.

The person making this submission is Jason Gant, Secretary of State for the State of South Dakota. The Secretary of State can be reached at the State Capitol, located at 500 East Capitol Avenue, Suite 204, Pierre, SD 57501. Jason Gant's telephone number is (605)773-3537.

**d. 28 C.F.R. § 51.27 (g): Authority Responsible for Making the Changes and the Mode of the Changes**

The authority responsible for the passage of House Bill 1173 was the 86<sup>th</sup> South Dakota Legislature. The changes that form the basis of this submission were accomplished by a vote of the 86<sup>th</sup> South Dakota Legislature. The 86<sup>th</sup> South Dakota House of Representatives was lawfully called into order on the 19<sup>th</sup> Legislative Day and voted in favor of the measure on February 9, 2011 and the 86<sup>th</sup> South Dakota Senate was lawfully called into order on the 29<sup>th</sup> Legislative Day and voted in favor of the measure on February 28, 2011. House Bill 1173 was signed by the Speaker of the House on March 3, 2011 and by the Senate President on March 7, 2011. Governor Daugaard signed House Bill 1173 on March 28, 2011.

**e. 28 C.F.R. § 51.27 (h): Statutory Authority for the Changes**

Article III of the South Dakota Constitution allows the Legislative Department the power to propose measures and enact those measures into law by a majority vote of all the members elected to each house of Legislature. According to Article IV of the South Dakota Constitution, any bill presented to the Governor for signature shall become law when the Governor signs the bill or fails to veto the bill within five days, not including Saturdays, Sundays, or holidays, of presentation.

**f. 28 C.F.R. § 51.27 (i) – (k): Effective Date of the Changes**

The changes were adopted by the 86<sup>th</sup> South Dakota Legislature and House Bill 1173 was signed by Governor Daugaard on March 28, 2011. The changes took effect on July 1, 2011.

**g. 28 C.F.R. § 51.27 (l): Scope of the Changes**

The changes affect the entire jurisdiction of the State of South Dakota and all 66 counties, including Shannon and Todd Counties that fall under Section 5 of the Voting Rights Act jurisdiction.

**h. 28 C.F.R. § 51.27 (m): Reasons for the Change**

The Secretary of State's Office, South Dakota Legislature, and Governor Daugaard determined it was necessary to require local election officials to contact the Secretary of State's Office. This requirement enables the Secretary of State's Office to be better prepared on Election Day if questions arise.

**i. 28 C.F.R. § 51.27 (n): Effect on Racial or Language Minority Groups**

The Secretary of State's Office feels that there will not be an effect on racial or language minority groups.

**j. 28 C.F.R. § 51.27 (o): Pending Litigation**

The State of South Dakota is not aware of any pending or future litigation concerning the Changes or related voting practices.

**k. 28 C.F.R. § 51.27 (p): Prior Practice Preclearance**

The Secretary of State's Office is unaware of any prior preclearance of these changes, because a portion of the current statute reads "and such other languages as may be deemed necessary." This is the portion that is being removed because of reasons already discussed prior in this submission.

**7. SDCL 12-18**

In accordance with Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. §§ 1973 *et seq.*, the South Dakota Secretary of State's Office hereby submits for preclearance the act to provide a procedure for the Secretary of State to conduct certain local elections when an emergency exists, which was approved by the 86<sup>th</sup> South Dakota Legislature and signed by Governor Daugaard on March 28, 2011. This submission contains the information required by 28 C.F.R. § 51.27.

**a. 28 C.F.R. § 51.27 (a) – (b): Approval of Changes**

A copy of Senate Bill 130 passed by the 86<sup>th</sup> South Dakota Legislature and approving the changes is attached to this submission.

**b. 28 C.F.R. § 51.27 (c): Changes Affecting Voting**

Senate Bill 130 amends the current statute chapter by adding thereto a new section, South Dakota Codified Law (SDCL) 12-18, to provide a procedure for the Secretary of State to conduct certain local elections when an emergency exists.

**c. 28 C.F.R. § 51.27 (d) – (e): Submitting Authority**

The submitting authority is the South Dakota Secretary of State's Office.

The person making this submission is Jason Gant, Secretary of State for the State of South Dakota. The Secretary of State can be reached at the State Capitol, located at 500 East Capitol Avenue, Suite 204, Pierre, SD 57501. Jason Gant's telephone number is (605)773-3537.

**d. 28 C.F.R. § 51.27 (g): Authority Responsible for Making the Changes and the Mode of the Changes**

The authority responsible for the passage of Senate Bill 130 was the 86<sup>th</sup> South Dakota Legislature. The changes that form the basis of this submission were accomplished by a vote of the 86<sup>th</sup> South Dakota Legislature. The 86<sup>th</sup> South Dakota Senate was lawfully called into order on the 19<sup>th</sup> Legislative Day and voted in favor of the measure on February 9, 2011 and the 86<sup>th</sup> South Dakota House of Representatives was lawfully called into order on the 30<sup>th</sup> Legislative Day and voted in favor of the measure on March 1, 2011. Senate Bill 130 was signed by the Senate President on March 7, 2011 and by the Speaker of the House on March 8, 2011. Governor Dugaard signed Senate Bill 130 on March 28, 2011.

**e. 28 C.F.R. § 51.27 (h): Statutory Authority for the Changes**

Article III of the South Dakota Constitution allows the Legislative Department the power to propose measures and enact those measures into law by a majority vote of all the members elected to each house of Legislature. According to Article IV of the South Dakota Constitution, any bill presented to the Governor for signature shall become law when the Governor signs the bill or fails to veto the bill within five days, not including Saturdays, Sundays, or holidays, of presentation.

**f. 28 C.F.R. § 51.27 (i) – (k): Effective Date of the Changes**

The changes were adopted by the 86<sup>th</sup> South Dakota Legislature and House Bill 1173 was signed by Governor Dugaard on March 28, 2011. The changes took effect on July 1, 2011.

**g. 28 C.F.R. § 51.27 (l): Scope of the Changes**

The changes affect the entire jurisdiction of the State of South Dakota and all 66 counties, including Shannon and Todd Counties that fall under Section 5 of the Voting Rights Act jurisdiction.

**h. 28 C.F.R. § 51.27 (m): Reasons for the Change**

The Secretary of State's Office felt it was necessary to establish an emergency plan, so if an emergency would arise on Election Day, a plan was in place to control the situation. The Secretary of State may conduct an election if an emergency does exist with the approval from the affected officers and governing board.

**i. 28 C.F.R. § 51.27 (n): Effect on Racial or Language Minority Groups**

The Secretary of State's Office feels that there will not be an effect on racial or language minority groups.

**j. 28 C.F.R. § 51.27 (o): Pending Litigation**

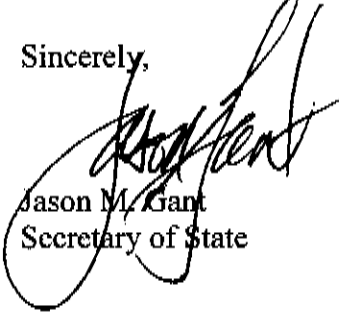
The State of South Dakota is not aware of any pending or future litigation concerning the Changes or related voting practices.

**k. 28 C.F.R. § 51.27 (p): Prior Practice Preclearance**

The Secretary of State's Office is unaware of any prior preclearance of these changes.

Thank you for your consideration of this preclearance submission. If you have any questions or need any additional information, please contact Brandon Johnson, Help America Vote Act Coordinator at (605)773-5003.

Sincerely,



Jason M. Gant  
Secretary of State

Enclosures: House Bill 1051 of the 86<sup>th</sup> South Dakota Legislature  
Approved change in statute to SDCL 12-4-37  
Signature page approving changes to SDCL 12-4-37  
House Bill 1104 of the 86<sup>th</sup> South Dakota Legislature  
Approved change in statute to SDCL 12-6-8.1  
Signature page approving changes to SDCL 12-6-8.1

House Bill 1130 of the 86<sup>th</sup> South Dakota Legislature  
Approved change in statute to SDCL 12-4-4.4  
Signature page approving changes to SDCL 12-4-4.4  
House Bill 1141 of the 86<sup>th</sup> South Dakota Legislature  
Approved change in statute to SDCL 12-16-1  
Signature page approving changes to SDCL 12-16-1  
House Bill 1162 of the 86<sup>th</sup> South Dakota Legislature  
Approved change in statute to SDCL 12-19-2.3  
Signature page approving changes to SDCL 12-19-2.3  
House Bill 1173 of the 86<sup>th</sup> South Dakota Legislature  
Approved change in statute to SDCL  
Signature page approving changes to SDCL  
Senate Bill 130 of the 86<sup>th</sup> South Dakota Legislature  
Approved change in the statute chapter to SDCL 12-18  
Signature page approving changes to SDCL 12-18

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

912S0112

## HOUSE BILL NO. 1051

Introduced by: Representatives Elliott, Blake, Bolin, Dennert, Feickert, Jones, Kirschman,  
Schaefer, Sigdestad, and Street and Senators Krebs, Hundstad, and Maher

1 FOR AN ACT ENTITLED, An Act to provide deadlines for the transmission of voter  
2 registration files.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 12-4-37 be amended to read as follows:

5 12-4-37. The secretary of state shall establish a computerized system for maintaining and  
6 utilizing the voter registration file and transmitting voter registration information from each  
7 county auditor to the Office of the Secretary of State. Each county auditor shall transmit any  
8 changes to the master registration file or the absentee voter log to the secretary of state on a  
9 daily basis. The county auditor shall transmit updated information contained in the county voter  
10 registration system, including voter registration information and voter election history  
11 information, to the Office of the Secretary of State not later than July fifteenth after each  
12 primary election and December tenth after each general election.





AN ACT

ENTITLED, An Act to provide deadlines for the transmission of voter registration files.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 12-4-37 be amended to read as follows:

12-4-37. The secretary of state shall establish a computerized system for maintaining and utilizing the voter registration file and transmitting voter registration information from each county auditor to the Office of the Secretary of State. Each county auditor shall transmit any changes to the master registration file or the absentee voter log to the secretary of state on a daily basis. The county auditor shall transmit updated information contained in the county voter registration system, including voter registration information and voter election history information, to the Office of the Secretary of State not later than July fifteenth after each primary election and December fifteenth after each general election.

An Act to provide deadlines for the transmission of voter registration files.

I certify that the attached Act originated in the

HOUSE as Bill No. 1051

Karen Gerdes  
Chief Clerk

Val Ramm  
Speaker of the House

Attest:

Karen Gerdes  
Chief Clerk

[Signature]  
President of the Senate

Attest:

Trudy Evenstad  
Secretary of the Senate

House Bill No. 1051  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

Received at this Executive Office this 3<sup>rd</sup> day of March,

2011 at 11:29 A M.

By [Signature]  
for the Governor

The attached Act is hereby approved this 7<sup>th</sup> day of March, A.D., 2011

Dennis Daugaard  
Governor

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed 3-7, 2011  
at 5:02 o'clock P M.

[Signature]  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

186S0465

## HOUSE BILL NO. 1104

Introduced by: Representatives Hansen (Jon), Bolin, Brunner, Liss, and Nelson (Stace) and  
Senators Holien, Buhl, Garnos, Lederman, and Rave

- 1 FOR AN ACT ENTITLED, An Act to revise the deadline for withdrawing from a primary  
2 election.
- 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:
- 4 Section 1. That § 12-6-8.1 be amended to read as follows:
- 5 12-6-8.1. Any person may have his or her name withdrawn from the primary election by  
6 making a written request under oath. The request shall be filed with the officer with whom the  
7 nominating petition was filed pursuant to § 12-6-4, not later than ~~the second to the last Tuesday~~  
8 ~~in March~~ April fourth at five p.m. If the request is mailed by registered mail by ~~the second to~~  
9 ~~the last Tuesday in March~~ April fourth at five p.m., the request is properly filed. No name that  
10 is withdrawn pursuant to this section may be printed on the ballots to be used at the election.



AN ACT

ENTITLED, An Act to revise the deadline for withdrawing from a primary election.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 12-6-8.1 be amended to read as follows:

12-6-8.1. Any person may have his or her name withdrawn from the primary election by making a written request under oath. The request shall be filed with the officer with whom the nominating petition was filed pursuant to § 12-6-4, not later than two days after the last Tuesday in March at five p.m. If the request is mailed by registered mail not later than two days after the last Tuesday in March at five p.m., the request is properly filed. No name that is withdrawn pursuant to this section may be printed on the ballots to be used at the election.

An Act to revise the deadline for withdrawing from a primary election.

I certify that the attached Act originated in the

HOUSE as Bill No. 1104

Karen Gerdes  
Chief Clerk

Val Rosard  
Speaker of the House

Attest:

Karen Gerdes  
Chief Clerk

[Signature]  
President of the Senate

Attest:

Trudy Evenstad  
Secretary of the Senate

House Bill No. 1104  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

Received at this Executive Office this 7<sup>th</sup> day of March,

20 11 at 10:40 A M.

By Ken G. Wayne  
for the Governor

The attached Act is hereby approved this 17<sup>th</sup> day of March, A.D., 20 11

Dennis Daugaard  
Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed 3-17, 20 11  
at 4:40 o'clock P M.

[Signature]  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

743S0390

## HOUSE BILL NO. 1130

Introduced by: Representatives Feinstein, Gosch, Hunhoff (Bernie), Kirkeby, Lucas, and  
Lust and Senators Adelstein and Hansen (Tom)

1 FOR AN ACT ENTITLED, An Act to allow certain adult children of overseas citizens to vote  
2 in the state.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 12-4-4.4 be amended to read as follows:

5 12-4-4.4. Any overseas citizen ~~shall have the right to~~ may register and vote in any federal,  
6 state, county, or local election held within South Dakota under the following conditions:

7 (1) The overseas citizen, or the spouse or parent of the overseas citizen, was last  
8 domiciled in South Dakota immediately prior to departure from the United States;

9 (2) The overseas citizen does not maintain a domicile, is not registered to vote, and is not  
10 voting in any other state;

11 (3) The overseas citizen is otherwise qualified to vote according to law.

12 Section 2. That § 12-4-4.5 be amended to read as follows:

13 12-4-4.5. The overseas citizen ~~shall be allowed to~~ may register and vote absentee in the same  
14 county and election precinct in which the overseas citizen, or spouse or parent of the overseas  
15 citizen, resided immediately prior to leaving the United States.



1 Section 3. That chapter 12-4 be amended by adding thereto a NEW SECTION to read as  
2 follows:

3 If an overseas citizen who has never resided in South Dakota is eligible to register to vote  
4 pursuant to § 12-4-4.4 as the adult child of an overseas citizen, the voter registration of the adult  
5 child shall be accompanied by a photocopy of the adult child's United States passport  
6 identification page and an overseas registrant form indicating where the adult child's parent is  
7 registered to vote in South Dakota. The State Board of Elections shall prescribe the overseas  
8 registrant form.

AN ACT

ENTITLED, An Act to allow certain adult children of overseas citizens to vote in the state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 12-4-4.4 be amended to read as follows:

12-4-4.4. Any overseas citizen may register and vote in any federal, state, county, or local election held within South Dakota under the following conditions:

- (1) The overseas citizen, or the spouse or parent of the overseas citizen, was last domiciled in South Dakota immediately prior to departure from the United States;
- (2) The overseas citizen does not maintain a domicile, is not registered to vote, and is not voting in any other state;
- (3) The overseas citizen is otherwise qualified to vote according to law.

Section 2. That § 12-4-4.5 be amended to read as follows:

12-4-4.5. The overseas citizen may register and vote absentee in the same county and election precinct in which the overseas citizen, or spouse or parent of the overseas citizen, resided immediately prior to leaving the United States.

Section 3. That chapter 12-4 be amended by adding thereto a NEW SECTION to read as follows:

If an overseas citizen who has never resided in South Dakota is eligible to register to vote pursuant to § 12-4-4.4 as the adult child of an overseas citizen and has not reached the age of twenty-two, the voter registration of the adult child shall be accompanied by a photocopy of the adult child's United States passport identification page and an overseas registrant form indicating where the adult child's parent is registered to vote in South Dakota. The State Board of Elections shall prescribe the overseas registrant form.



An Act to allow certain adult children of overseas citizens to vote in the state.

I certify that the attached Act originated in the

HOUSE as Bill No. 1130

Karen Kurdes  
Chief Clerk

Val Baum  
Speaker of the House

Attest:

Karen Kurdes  
Chief Clerk

[Signature]  
President of the Senate

Attest:

Trudy Everstad  
Secretary of the Senate

House Bill No. 1130  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

Received at this Executive Office this 10<sup>th</sup> day of March,

20 11 at 3:45 P M.

By Ken G. Warren  
for the Governor

The attached Act is hereby approved this 22<sup>nd</sup> day of March, A.D., 20 11

Dennis Daugstad  
Governor

STATE OF SOUTH DAKOTA,  
Office of the Secretary of State

Filed 3-22, 2011  
at 2:13 o'clock P M.

[Signature]  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

195S0471

## HOUSE BILL NO. 1141

Introduced by: Representatives Magstadt, Haggar, Hansen (Jon), and Kirkeby and Senators Nelson (Tom), Maher, and Tieszen

1 FOR AN ACT ENTITLED, An Act to establish a date to begin absentee voting and to revise  
2 the deadline for the printing of ballots.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 12-16-1 be amended to read as follows:

5 12-16-1. The county auditor shall provide printed ballots for each election in which the  
6 voters of the entire county participate. Except as provided in § 12-6-9, printed ballots for a  
7 primary election shall contain the name of each candidate who has filed for nomination and is  
8 approved. The printed ballots for the election of officers shall contain the name of each  
9 candidate whose nomination has been certified or filed with the county auditor in the manner  
10 provided by law unless the candidate is deemed elected by having no opposition. The names of  
11 the candidates shall appear on the ballot exactly as listed in the declaration of candidacy of the  
12 candidates' nominating petitions. Sample ballots shall be printed on paper of a different color  
13 from the official ballot but in the same form. The sample ballots and official ballots shall be  
14 printed and in the possession of the county auditor not later than ~~forty-five~~ forty-eight days prior  
15 to a primary or general election. Absentee voting shall begin no earlier and no later than forty-



1 six days prior to the election. The county auditor shall also prepare the necessary ballots if any  
2 question is required to be submitted to the voters of the county. Ballots for general elections  
3 shall be of the style and form prescribed in §§ 12-16-2 to 12-16-11, inclusive.

AN ACT

ENTITLED, An Act to establish a date to begin absentee voting and to revise the deadline for the printing of ballots.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 12-16-1 be amended to read as follows:

12-16-1. The county auditor shall provide printed ballots for each election in which the voters of the entire county participate. Except as provided in § 12-6-9, printed ballots for a primary election shall contain the name of each candidate who has filed for nomination and is approved. The printed ballots for the election of officers shall contain the name of each candidate whose nomination has been certified or filed with the county auditor in the manner provided by law unless the candidate is deemed elected by having no opposition. The names of the candidates shall appear on the ballot exactly as listed in the declaration of candidacy of the candidates' nominating petitions. Sample ballots shall be printed on paper of a different color from the official ballot but in the same form. The sample ballots and official ballots shall be printed and in the possession of the county auditor not later than forty-eight days prior to a primary or general election. Absentee voting shall begin no earlier and no later than forty-six days prior to the election. The county auditor shall also prepare the necessary ballots if any question is required to be submitted to the voters of the county. Ballots for general elections shall be of the style and form prescribed in §§ 12-16-2 to 12-16-11, inclusive.

An Act to establish a date to begin absentee voting and to revise the deadline for the printing of ballots.

I certify that the attached Act originated in the

HOUSE as Bill No. 1141

Karen Gerdes  
Chief Clerk

Val Ramm  
Speaker of the House

Attest:

Karen Gerdes  
Chief Clerk

[Signature]  
President of the Senate

Attest:

Trudy Ewenstad  
Secretary of the Senate

House Bill No. 1141  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

Received at this Executive Office this 10<sup>th</sup> day of March,

2011 at 3:45 P M.

By Ken Warner  
for the Governor

The attached Act is hereby approved this 17<sup>th</sup> day of March, A.D., 2011

Dennis Daugaard  
Governor

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed 3-17, 2011  
at 4:40 o'clock P M.

[Signature]  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

906S0473

## HOUSE BILL NO. 1162

Introduced by: Representatives Nelson (Stace), Greenfield, Hansen (Jon), and Munsterman  
and Senators Johnston, Kraus, Maher, Rhoden, and Tieszen

1 FOR AN ACT ENTITLED, An Act to authorize the secretary of state to allow a person in  
2 charge of election to use the state system.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 12-19-2.3 be amended to read as follows:

5 12-19-2.3. Any voter identified as being covered by the Uniformed and Overseas Citizens  
6 Absentee Voting Act (42 U.S.C. 1973ff-1) as of January 1, ~~2005~~ 2011, may submit an  
7 application or request for an absentee ballot by facsimile or emailed image to the person in  
8 charge of the election. The secretary of state may authorize a person in charge of an election to  
9 accept an application or request for absentee ballot pursuant to this section through the system  
10 provided by the Office of the Secretary of State.



AN ACT

ENTITLED, An Act to authorize the secretary of state to allow a person in charge of election to use the state system.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 12-19-2.3 be amended to read as follows:

12-19-2.3. Any voter identified as being covered by the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1) as of January 1, 2011, may submit an application or request for an absentee ballot by facsimile or emailed image to the person in charge of the election. The secretary of state may authorize a person in charge of an election to accept an application or request for absentee ballot pursuant to this section through the system provided by the Office of the Secretary of State.

An Act to authorize the secretary of state to allow a person in charge of election to use the state system.

I certify that the attached Act originated in the

HOUSE as Bill No. 1162

Karen Gerdes  
Chief Clerk

Val Pearson  
Speaker of the House

Attest:

Karen Gerdes  
Chief Clerk

[Signature]  
President of the Senate

Attest:

Trudy Evenstad  
Secretary of the Senate

House Bill No. 1162  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

Received at this Executive Office this 1<sup>st</sup> day of March,

2011 at 10:04 A. M.

By Ken G. Warrick  
for the Governor

The attached Act is hereby approved this 3<sup>rd</sup> day of March, A.D., 2011

Dennis Daugaard  
Governor

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed 3-3, 2011  
at 4:20 o'clock P M.

[Signature]  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State



# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

456S0648

## HOUSE BILL NO. 1173

Introduced by: Representative Tulson and Senator Holien

- 1 FOR AN ACT ENTITLED, An Act to administer, conduct, and provide for fair elections.
- 2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:
- 3 Section 1. The administration, conduct, and provision of fair elections are hereby affected.



AN ACT

ENTITLED, An Act to require the person in charge of local elections to notify the secretary of state when the dates of elections have been set.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. If any political subdivision of the state sets a date and time for conducting a public election, within fifteen days the person in charge of an election shall notify the secretary of state in writing or by telephone or electronic mail.

An Act to require the person in charge of local elections to notify the secretary of state when the dates of elections have been set.

I certify that the attached Act originated in the  
HOUSE as Bill No. 1173

Karen Gerdes  
Chief Clerk

Val Bousard  
Speaker of the House

Attest:

Karen Gerdes  
Chief Clerk

[Signature]  
President of the Senate

Attest:

Trudy Evenstad  
Secretary of the Senate

House Bill No. 1173  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

Received at this Executive Office  
this 8<sup>th</sup> day of March,  
20 11 at 10:28 A. M.

By Ken Wannoe  
for the Governor

The attached Act is hereby  
approved this 17<sup>th</sup> day of  
March, A.D., 20 11

Dennis Daugaard  
Governor

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed 3-17, 20 11  
at 4:40 o'clock P. M.

[Signature]  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

951S0467

## SENATE BILL NO. 130

Introduced by: Senators Schlekeway and Lederman and Representatives Kirkeby, Gosch, and Hansen (Jon)

1 FOR AN ACT ENTITLED, An Act to provide a procedure for the Secretary of State to conduct  
2 certain local elections when an emergency exists.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 12-18 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 If the person charged with the conduct of an election determines an election cannot be  
7 conducted, that person shall sign a declaration of emergency and deliver it to the secretary of  
8 state prior to the election. The secretary of state may conduct the election for that county or  
9 political subdivision. Any expenses incurred by the secretary of state to conduct the election  
10 shall be reimbursed by the county or political subdivision within ninety days after the election  
11 has been certified.



AN ACT

ENTITLED, An Act to provide a procedure for the Secretary of State to conduct certain local elections when an emergency exists.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 12-18 be amended by adding thereto a NEW SECTION to read as follows:

If the person charged with the conduct of an election and the governing board determine that an election cannot be conducted, the person charged with the conduct of an election shall sign a declaration of emergency and deliver it to the secretary of state prior to the election. The secretary of state may conduct the election for that county or political subdivision until the election has been certified. Any reasonable and necessary expenses incurred by the secretary of state to conduct the election shall be reimbursed by the county or political subdivision within ninety days after the election has been certified.

An Act to provide a procedure for the Secretary of State to conduct certain local elections when an emergency exists.

I certify that the attached Act originated in the

SENATE as Bill No. 130

Trudy Evenstad  
Secretary of the Senate

[Signature]  
President of the Senate

Attest:

Trudy Evenstad  
Secretary of the Senate

Val Rasmussen  
Speaker of the House

Attest:

Karen Gerdes  
Chief Clerk

Senate Bill No. 130  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

Received at this Executive Office this 9<sup>th</sup> day of March,

20 11 at 10:00 A M.

By Kla Y. Warner  
for the Governor

The attached Act is hereby approved this 15<sup>th</sup> day of March, A.D., 20 11

Kevin D. Sanguard  
Governor

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed 3-15, 2011  
at 3:18 o'clock P M.

[Signature]  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State