

The background features a large, light gray watermark of the Seal of the State of South Dakota. The seal is circular with a serrated outer edge. Inside the circle, the words "STATE OF SOUTH DAKOTA" are written in an arc at the top, and "GREAT SEAL" is written in an arc at the bottom. The year "1889" is at the bottom center. The central part of the seal depicts a landscape with a river, a bridge, and a plow, with the motto "GOD THE GIVER" above it.

General Information on South Dakota Elections 2016

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2016 Election Calendar

November 9, 2015	Deadline to file petitions for placement of a constitutional amendment on the general election ballot
January 1, 2016	Earliest date for a candidate to sign declaration of candidacy and begin circulating petitions
March 29	Deadline to file nominating petitions for June primary election
90 days after the adjournment of the legislative session	Deadline for submitting referendum petition
April 22	Absentee voting begins
April 26	Deadline for candidates to file nominating petitions as independent candidates, except for President
May 23	Voter registration deadline for the June primary election
June 7	Primary Election Polls open 7:00am to 7:00pm – local time
August 16	Secondary Election (Required only if no candidate for Congress is nominated by at least 35% of the vote in the party primary)
August 2	Deadline for Independent Presidential candidates to file a nominating petition
September 23	Absentee voting begins
October 24	Voter registration deadline for the general election
November 8	General Election Polls open 7:00am to 7:00pm - local time

Voter Registration, Voter Identification, Absentee Voting & Voting Procedures

VOTER REGISTRATION

REGISTRATION REQUIREMENTS:

- Citizen of the United States
- Reside in South Dakota
- Age 18 or older on or before the next election day
- Not currently serving a sentence for a felony conviction which included imprisonment, served or suspended, in an adult penitentiary system
- Not judged mentally incompetent by a court of law

REGISTRATION LOCATIONS:

- County auditor's office
- City finance office
- Driver's license station
- Public assistance agencies providing SNAP, TANF or WIC
- Department of Human Services offices which provide assistance to the disabled
- Military recruitment offices
- Mail-in registration with forms from the county auditor's office or www.sdsos.gov
- Secretary of State's Office

REGISTRATION DEADLINES:

- Fifteen days prior to any election
- Mail-in cards must be received by the county auditor 15 days prior to the election or postmarked 30 days prior to the election
- 2016 Primary deadline is May 23
- 2016 General deadline is October 24

PARTY REGISTRATION

- The SD Republican Party Primary is closed to only voters registered as Republican. To be eligible to vote in the Republican Party Primary, voters must indicate Republican as their political party choice on the registration form.
- The SD Democratic Party Primary is open to voters registered as Democrat, Independent or No Party Affiliation.
- Any voter registered under the category of “Other”(which means that voter listed a political party on the voter registration form that is not currently recognized in South Dakota) or registered voters of the Constitution party will not be able to vote in the 2016 Primary Election unless there is a non-political ballot.
- The Constitution Party became recognized on March 31, 2016 and will not have a 2016 primary election.

If you register to vote through a private entity or individual, they are required to provide you with their contact information.

A Power of Attorney cannot be used for voter registration purposes.

IDENTIFICATION AT THE POLLS

All voters are required to provide identification before voting or obtaining an absentee ballot. The personal identification that may be presented shall either be:

- (1) A South Dakota driver's license or nondriver identification card;
- (2) United States government photo identification;
- (3) United States Armed Forces identification
- (4) A tribal photo identification card; or
- (4) Current student photo identification card from a South Dakota high school or South Dakota accredited institution of higher education.

NOTE: If a voter is not able to present one of the photo ID's listed above, the voter must be given the opportunity to complete the personal ID affidavit and vote a regular ballot.

ABSENTEE VOTING

Any registered voter may vote by absentee ballot. Voters do not need to provide a reason in order to absentee vote. Absentee ballots are available 46 days prior to the election.

An absentee voter desiring to vote by mail may apply to the person in charge of the election for an absentee ballot. The application or request shall be made in writing and be signed by the applicant and state the applicant's voter registration address. The application or request shall contain an oath verifying the validity of the information contained in the application or request. The oath shall be administered by a notary public or other officer authorized by statute to administer an oath. If the application or request does not contain an oath, the application or request shall be accompanied by a copy of the voter's identification card. The requirement for the oath or the submission of the voter's identification card is waived **only** for uniformed and overseas citizens that are residing outside of the United States. All voters covered under UOCAVA (Uniformed and Overseas Citizens Absentee Voting Act) can submit the application for absentee ballot by fax or email image including a signature to the jurisdiction in charge of the election.

The application or request may be used to obtain an absentee ballot for all elections in that calendar year conducted by the jurisdiction receiving the application or request if so indicated. The application for absentee ballot is **only valid** for the calendar year in which the voter signed the application in.

Anytime during the 46 day absentee voting timeframe, a voter may apply in person to the person in charge of the election for an absentee ballot during regular office hours up to 5:00 p.m. the day prior to the election. If the voter applies in person, the voter shall show the person in charge of the election the voter's identification card or complete a personal identification affidavit.

In the event of confinement, because of sickness or disability, a qualified voter may request an absentee ballot in writing, naming an authorized messenger who will deliver the ballot to the voter. An application for a ballot by authorized messenger must be received by the person in charge of the election before 3:00 p.m. the day of the election.

The voter must sign a statement on the absentee ballot envelope prior to returning the ballot. All voted ballots must be returned to the person in charge of the election in time to be delivered to the appropriate polling place prior to the closing of the polls.

An application for absentee ballot can be obtained at a county auditor's office or printed from the Secretary of State's website at www.sdsos.gov

A Power of Attorney cannot be used for absentee voting purposes.

PROVISIONAL BALLOTS

If any person is not authorized to vote, is successfully challenged, or is otherwise denied the ability to vote and the person maintains that he or she is currently registered to vote in that precinct, the person may cast a ballot which shall be called a provisional ballot.

The voter must complete an affirmation for a provisional ballot. Provisional ballots are not counted on election night. The person in charge of the election will investigate the following day to determine if that voter was properly registered in that precinct. If the information found determines that the voter was properly registered, then that provisional ballot will be counted. The voter will receive notification of whether his/her provisional ballot was counted or not and if not, an explanation of why it was not counted.

By voting a provisional ballot, your vote may not be secret if only one provisional ballot is cast in that precinct.

INSTRUCTIONS TO 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. (If you cast more votes than allowed in a race, your votes for that race will not be counted)

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 Election Board at your polling place on Election Day is there to help you if you have questions.

You may contact the Office of Secretary of State for information regarding the election process at 605-773-3537.

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 they choose 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.

If your voting rights have been violated, you may call the person in charge of the election, the Secretary of State at (888) 703-5328, or your state's attorney.

BALLOT MARKING DEVICES

Voter assist terminals allow voters to review and mark their ballot electronically. The ballot is displayed on a touch-screen that allows the contents to be altered many different ways. The ballot contents may be enlarged for easier reading, shown in reverse contrast, or turned off for privacy if a voter chooses to listen to the ballot with the attached headphones. A keypad, A/B switch, or sip and puff devices may be used as well. This technology warns the voter of undervotes and will not allow overvotes and shows a summary screen that will allow the voter to make changes if necessary. Once the ballot is finalized, a paper ballot will then be marked and printed and can be placed in the ballot box. These devices DO NOT track or tabulate any votes.

Offices to be filled in the 2016 Elections

The following nominations are made in the closed party primary elections held on June 7, 2016:

- U.S. Senator – 6 year term
- U.S. Representative – 2 year term
- 105 Legislators (35 Senate, 70 House) –2 year term
- County Commissioners - 4 year term
- States Attorney - 4 year term
- County Coroner - 4 year term
- County Treasurer - 4 year term
- Delegates to State Republican Party Convention (only if designated to be elected at a primary election in the party's bylaws) – 2 year term
- Republican Party Precinct Committeeman and Committeewoman (only if designated to be elected at a primary election in the party's bylaws) – 2 year term

In those areas of the state which have the following types of districts, nominations are made in a nonpartisan primary election:

- Water Development District Directors -- 4 year term
- Heartland Consumers Power District Directors -- 6 year term

The following will be nominated at the 2016 state conventions of each political party:

- Public Utilities Commissioner – 6 year term
- 3 Presidential Electors
-

In those areas of the state which have the following types of districts, nominations are made in the general election:

- Conservation District Supervisor -- 4 year term

CANDIDATE INFORMATION

Number of Signatures Required on Petitions Filed for the 2016 Election

U.S. SENATOR, U.S. REPRESENTATIVE, GOVERNOR

Republican: 1,955 (1% of the vote for the 2014 Republican gubernatorial candidate – 195,477)

Democrat: 706 (1% of the vote for the 2014 democratic gubernatorial candidate – 70,549)

Independent: 2,774 (1% of the total vote for governor in 2014 – 277,403)

New Political Party: 250

*The Independent signature requirement would also apply to independent candidates for constitutional offices or public utilities commissioner. Independent candidates for Governor must file a certification of their Lt. Governor prior to petition circulation.

DEADLINE FOR FILING

- March 29, 2016 for primary election
- April 26, 2016 for all independent candidates in general election, except for president
- August 2, 2016 for independent presidential candidates

STATE LEGISLATORS

- Republican or Democrat: 50 signatures or 1% of the vote for their party's gubernatorial candidate in their legislative district in the 2014 election, whichever is less.
- Independent: Signatures equal to 1% of the total vote for governor in 2014 in their legislative district.
- New Political Party: Five (5) signatures.

COUNTY OFFICIALS AND PARTY DELEGATES (filed with county auditor)

- Republican or Democrat: 50 signatures or 1% of the vote for their party's gubernatorial candidate in the county or commissioner district in the 2014 election, whichever is less.
- Independent: Signatures equal to 1% of the total vote for governor in the county or commissioner district in 2014.
- New Political Party: Five (5) signatures.

To find the specific number of signatures required for legislative and county candidates please go to our website at: sdsos.gov/elections-voting/upcoming-elections/general-information/2016-signature-requirements.aspx

SPECIAL DISTRICTS

- Heartland Consumer Power District Director: 50 signatures of registered voters of the district or subdivision of the district
- Conservation District Director: 25
- Water Development District Director: 25 signatures of registered voters in the director area

INITIATIVE PETITIONS

13,871 signatures collected within one year following filing of the full text with the Secretary of State (5% of 2014 vote for governor). Signatures must be filed by November 9, 2015.

REFERENDUM PETITIONS

13,871 signatures (5% of 2014 vote for governor). File within 90 days after adjournment of legislature at which the law was passed.

INITIATED CONSTITUTIONAL AMENDMENT

27,741 signatures (10% of 2014 vote for governor). Signatures must be filed by November 9, 2015.

FORM A NEW POLITICAL PARTY

6,936 (2.5% of total vote for governor in 2014 – 277,403)

Recognized Political Parties

The Constitution, Democrat and Republican parties are recognized political parties in South Dakota. New political parties may form by filing new party formation petitions signed by 6,936 registered voters in South Dakota. The petition deadline for the 2016 elections is March 29, 2016. A political party's gubernatorial candidate must obtain at least 2.5% of the vote for governor to remain a recognized party.

There are three recognized political parties in South Dakota as of April 12, 2016:

Constitution Party of South Dakota

120 S Lyndale Ave.
Sioux Falls, SD 57104
Phone: 605-251-5045
sdakotacp@yahoo.com

SD Democratic Party

PO Box 1485
Sioux Falls, SD 57101
Phone 605-271-5404
Fax 605-271-5405
democrats@sddp.org
www.sddp.org

SD Republican Party

PO Box 1099
Pierre, SD 57501
Phone 605-224-7347
Fax 605-224-7349
administrator@southdakotagop.com
www.southdakotagop.com

Qualifications to Hold Office & Term Limitations

President of the United States

35 years old, no person except a natural born citizen, 14 years residency within the U.S.

U.S. Senator

30 years old, 9 years a citizen of U.S., inhabitant of state when elected

U.S. Representative

25 years old, 7 years a citizen of U.S., inhabitant of state when elected

Governor and Lt. Governor

2 years residency, Citizen of United States, 21 years old, Term Limit: 2 consecutive terms

Constitutional Officers

No specified qualifications, Term Limit: 2 consecutive terms

Legislators

21 years old; 2 years residency preceding the General Election; qualified voter; not have been convicted of bribery, perjury or other infamous crime; not have illegally taken "public moneys"; Term Limit: 4 consecutive terms in House, 4 consecutive terms in Senate

Public Utilities Commissioner

25 years old, 2 years residency, qualified voter of the state, no conflict of interest

Circuit Court Judges

Citizen of United States, resident of state, voter in circuit, licensed to practice law

Supreme Court Justice

Citizen of United States, resident of state, voter in district represented, licensed to practice law

Delegates to state or national party conventions

Registered voter of party

County Officials

State's attorney must be licensed to practice law.
Sheriff candidate must be 21 years of age and have a certification from Law Enforcement Officers Standards Commission by the filing deadline. Call 773-3584.

Municipal Officials

Qualified voter and resident of municipality, reside in municipality 3 months before election, not a defaulter to the municipality. Alderman candidates must be registered voters and residents of the ward they are running for when nominated.

School Board Members

Resident voter and may not hold an incompatible office.

Campaign Finance

As a candidate running for office in the 2016 primary and/or general elections, you will be required to submit campaign reports to the person in charge of the election by certain deadlines.

Once you file as a candidate, the first reports you will submit to the person in charge of the election include the following:

- Statement of organization within fifteen days after becoming a candidate (unless you have previously filed one and have not terminated that committee).
- Statement of financial interest within fifteen days after becoming a candidate.

You will also be required to submit the following campaign finance disclosure forms:

- Pre-primary election and pre-general election disclosure forms due by 5:00 p.m. on the second Friday prior to each primary and general election complete through the fifteenth day prior to that election.
- Post Primary (Non-winner) report
- Year-end disclosure form due by 5:00 pm on the first Monday in February.

These statements are filed consecutively and only include contributions and expenditures occurring since the last statement filed.

There are both civil and criminal penalties for violations of the required filing of campaign finance statements – including a daily \$50 penalty for reports that are not received by the deadline.

Note: Federal candidates only file the statement of financial interest with the Secretary of State. Federal candidates file all other campaign finance information with the Federal Election Commission.

South Dakota Initiative and Referendum

Types of Ballot Questions

Initiated Measure: This is a petition to add to, amend, or repeal existing state statutes. This petition must be submitted to the office of the Secretary of State one year before general election year ([SDCL 2-1-1.2](#)).

Referred Law: This is a petition to prevent a measure passed by the Legislature from becoming effective. This petition must be submitted to the office of the Secretary of State within 90 days of adjournment of the legislative session in which the measure was passed ([SDCL 2-1-3.1](#)). Measures which may be necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions are not subject to referendum ([SD Const., Art. III, Sec. 1](#)).

Initiated Constitutional Amendment: This is a petition proposing to amend, repeal, or add to provisions in the South Dakota state constitution. This petition must be filed in the Secretary of State's office one year before the general election ([SD Const., Art. XXIII, Sec. 1](#)). No signatures may be obtained more than 24 months preceding the election date designated on the petition.