



SOUTH DAKOTA SECRETARY OF STATE – DIVISION OF ELECTIONS

2025-2026 MUNICIPAL AND SCHOOL ELECTION WORKSHOP WEBINAR 1

Sponsored By:
Secretary of State's Office
South Dakota Municipal League
Associated School Boards of South Dakota



SOUTH DAKOTA
MUNICIPAL LEAGUE





SOUTH DAKOTA SECRETARY OF STATE – DIVISION OF ELECTIONS

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SOUTH DAKOTA SECRETARY OF STATE – DIVISION OF ELECTIONS

ELECTION DATES - MUNICIPALITIES

Two Options (SDCL [9-13-1](#)):

- First Tuesday after the first Monday in June
 - June 2, 2026
- First Tuesday after the first Monday in November
 - November 3, 2026

Deadline (SDCL [9-13-1](#)):

- The governing body must establish the date of the election **by January 14.**

Joint Elections:

- For municipalities that will be holding an election with a county, make sure to have a written agreement ready as you set your election date.
 - Ask your colleagues for sample agreements.

ELECTION DATES – SCHOOL DISTRICTS

Two Options (SDCL [13-7-10](#)):

- First Tuesday after the first Monday in June
 - June 2, 2026
- First Tuesday after the first Monday in November
 - November 3, 2026

Deadline (SDCL [13-7-10](#)):

- The school board must establish the date of the election **no later than the first meeting in January.**

Joint Elections:

- For school districts that will be holding an election with a county, make sure to have a written agreement ready as you set your election date.
 - Ask your colleagues for sample agreements.



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2026 CITY & SCHOOL ELECTION CALENDARS

Let's take a look at the new election calendars!

<https://sdsos.gov/elections-voting/upcoming-elections/municipal-school-information/default.aspx>

Please add these dates to your personal calendars! Also be sure to reference the listed statutes and administrative rules, as well as the notes on the last page.

If you have any questions/comments/concerns, don't hesitate to reach out to the Secretary of State's Office. We are always looking for ways to improve our guidance!

| 2026 City & School Combined Election Calendar | June 2, 2026 -- Primary Election -- | November 3, 2026 -- General Election -- |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------------|
| Publish notice of vacancies and the time and place of filing petitions (SDCL 9-13-6; 13-7-5). Note: Must be published at least once each week for two consecutive weeks. | December 15th through December 30th | --- |
| Deadline for the governing body to establish an election date (SDCL 9-13-1; 13-7-10). | Cities: January 14th Schools: First regular meeting in January | Cities: January 14th Schools: First regular meeting in January |
| Publish notice of vacancies and the time and place of filing petitions (SDCL 9-13-6; 13-7-5). Note: Must be published at least once each week for two consecutive weeks. | -- -- | May 15th through May 30th |
| Earliest date for a candidate to sign the declaration of candidacy, begin petition circulation, and file a petition (SDCL 9-13-9; 13-7-6). | February 2nd | July 3rd |
| Deadline for a candidate to file nominating petitions or to withdraw their name from the ballot (SDCL 9-13-7; 9-13-37; 13-7-6). | March 24th | August 25th |
| Deadline for candidate names and ballot language to be certified to the county auditor (SDCL 9-13-37; 13-7-10.3). | March 26th | August 27th |
| Deadline for candidates in first-class municipalities and school districts with >2,000 students to file a Candidate Financial Interest Statement (SDCL 12-25-30). Note: Must be filed within fifteen days of the candidate filing their nominating petition. | April 8th | September 9th |
| First day of absentee voting (SDCL 12-19-1.2). Note: Yellow sample ballots must be made available to voters when absentee voting begins. | April 17th | September 18th |
| Publish notices for the voter registration deadline (SDCL 12-4-5.2). Note: Must be published at least once each week for two consecutive weeks. | Weeks of April 26th & May 3rd | Weeks of September 27th & October 4th |
| Publish notices of election (SDCL 9-13-13; 13-7-8). Note: Must be published at least once each week for two consecutive weeks. | Weeks of May 17th & May 24th | Weeks of October 18th & October 25th |
| Deadline for voter registration (SDCL 12-4-5). | May 18th | October 19th |
| Publish facsimile ballot (SDCL 9-13-13; 13-7-8). Note: Must be published between Monday and Saturday during the week prior to the election. | Week of May 24th | Week of October 25th |
| ELECTION DAY! (SDCL 9-13-1; 13-7-10) | June 2nd | November 3rd |
| Deadline for official canvass (SDCL 9-13-24; 13-7-18). | Cities: June 9th Schools: Next regular meeting after election | Cities: November 10th Schools: Next regular meeting after election |



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PUBLIC NOTICES

Please refer to the 2026 City & School Election Calendars for notices and publication dates/deadlines!

Per SDCL [17-2-28](#), all public notices must include an inscription listing the approximate cost of the publication. The inscription must be printed in the same type size as the body of the notice and be located at the top or the bottom of the notice.

Notice of Vacancy (Publish Twice; December Publication Date for June Election!):

- Municipalities – ARSD [5:02:04:06](#)
- School Districts – ARSD [5:02:04:14](#)

Notice of Deadline for Voter Registration (Publish Twice):

- Municipalities & School Districts – ARSD [5:02:04:04](#)

Notice of Election (Publish Twice):

- Municipalities – ARSD [5:02:04:08](#)
- School Districts – ARSD [5:02:04:15](#)

Facsimile Ballot: Must be published in the calendar week prior to the election (SDCL [9-13-13](#); [13-7-8](#)).



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PUBLIC NOTICES (CONT'D)

Missed Notices:

- Do not panic if you miss a notice or make a mistake!
- Be sure to inform your attorney and follow their advice.
- Have the paper publish the missed notice or a corrected notice if there is still time before the deadline.
 - If the paper failed to publish the notice or made a mistake, get a written statement from them explaining that it was their error.
- Post the notice in public areas throughout your jurisdiction (e.g., post offices, grocery stores, banks, etc.).
- Mail the notice to all residents or registered voters.
- Even if you follow the above suggestions, the election may still be challenged due to missed or incorrect notice.

Always make sure to get confirmation that notices have been published and proofread all notices very carefully to make sure that they are correct!



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CANDIDATE ELIGIBILITY – MUNICIPALITIES

Candidate Requirements/Responsibilities:

- No person may hold any elected municipal office who is not a qualified voter of the municipality and who has not resided therein at least three months next preceding his election or appointment (SDCL [9-14-2](#)).
- May not be a defaulter to the municipality (SDCL [9-14-2](#)).
 - Talk with the South Dakota Municipal League and/or your city's attorney if question this comes up.
- Must reside in the ward they are seeking election to.
- Must file a nominating petition or a vacancy is created (SDCL [9-13-14.3](#)).
- Upon verification signed by the municipal finance officer or clerk that the nominating petition contains the minimum number of signatures of registered voters within either the municipality or ward, or both, and that the candidate is a registered voter within either the municipality or ward, or both, the filing of the petition constitutes nomination (SDCL [9-13-7](#)).

We will provide more information on petitions at a future webinar!



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CANDIDATE ELIGIBILITY – SCHOOL DISTRICTS

Candidate Requirements/Responsibilities:

- Cannot be a teacher in the district they are seeking election to (SDCL [13-43-1](#)).
- If representation areas exist, a school board member candidate must reside within the school board member representation area (SDCL [13-8-7.1](#)).
- Must be a **resident voter** of the school district they are seeking nomination to (SDCL [13-7-6](#)).
- Candidates should review SDCL [13-7-3](#) and determine if any other duties or offices they hold would be incompatible with a school board membership.

We will provide more information on petitions at a future webinar!



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VACANCIES – MUNICIPALITIES

Causes (SDCL [3-4-1](#); [9-13-14.3](#)):

- Death
- Resignation
- Removal from office
- Failure to qualify as provided by law
- Failure to be a resident of the municipality or ward where elected
- Conviction of any infamous crime or of any offense involving a violation of the member's official oath
- Has a judgment obtained against the member for breach of the member's official bond
- No candidate files a nominating petition

Causes of a Temporary Vacancy (SDCL [3-4-8](#); [3-4-9](#)):

- A member of a governing body may choose to temporarily resign if they are:
 - Called into active duty by the South Dakota National Guard or another reserve component of the Armed Forces of the United States
 - Incapacitated by illness or an accident



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VACANCIES – MUNICIPALITIES (CONT'D)

Filling a Vacancy – General

- Municipal vacancies may be filled by:
 - Appointment (SDCL [9-13-14.1](#))
 - Special election (SDCL [9-13-14.2](#))
 - Temporary replacement (SDCL [3-4-8](#); [3-4-9](#))

Filling a Vacancy – Appointment (SDCL [9-13-14.1](#))

- The remaining members appoint a replacement to serve until the next annual municipal election.
 - Per [AG Opinion 15-03](#), an appointee serves until the next annual election and **not** the next regularly scheduled election. If there is not a regularly scheduled election, you will need to conduct an election.
- Remember:
 - In an aldermanic form of government, the appointment must be from the same ward.
 - You must keep track of terms when an appointment is made.
 - The official who is vacating their position does not vote on their replacement.
 - The mayor may make a recommendation, but the remaining members must vote on any replacement.
 - There are no publication rules or notices for filling a vacancy.



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VACANCIES – MUNICIPALITIES (CONT'D)

Filling a Vacancy – Special Election (SDCL [9-13-14.2](#))

- The governing body may establish by ordinance that any vacancy in the governing body or in the office of the mayor must be filled by special election. The ordinance must be enacted prior to any vacancy.
- No election may be held less than ninety (90) days before an annual municipal election.
- The municipal finance officer must publish a notice that a vacancy exists and will be filled by special election, the date of the election, and the time and place where nominating petitions may be filed for the office.
 - Nominating petitions should be prepared and filed as usual, according to SDCL [9-13-7](#), and filed at least thirty (30) days before the date of a special election.
- A notice of special election must be published in the same manner as a standard notice of election (SDCL [9-13-13](#); [9-13-14](#)).

Filling a Temporary Vacancy

- A temporary replacement is made by appointment.
 - The replacement will serve until the original member returns or the member's term expires, whichever comes first.
 - If the replacement serves until the original member's term expires **and** no person files for the position, then a vacancy is created, and the replacement would need to be re-appointed to continue in office.



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VACANCIES – MUNICIPALITIES (CONT'D)

Vacancies – Failure to Elect Successor / Lack of Nominating Petitions (SDCL [9-13-14.3](#))

- If, for any reason, a municipality fails to elect any person to succeed an elected official whose term has expired or an elected official fails to file a nominating petition or qualify, the office is deemed vacant.
- In this case, the elected official whose term has expired continues to act in an official capacity until the vacancy is filled by election or appointment pursuant to SDCL [9-13-14.1](#) or [9-13-14.2](#).



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VACANCIES – SCHOOL DISTRICTS

Causes (SDCL [13-8-23](#)):

- Death
- Removal from school board
- Failure to qualify as provided by law
- Failure to be a **resident** of the school district or representation area where elected
- Conviction of any infamous crime or of any offense involving a violation of the member's official oath
- Has a judgment obtained against the member for breach of the member's official bond
- Is incapacitated and is unable to attend to the duties of the position
- Assumes the duties of an office incompatible with the duties of a school board member
- Resignation

Filling a Vacancy (SDCL [13-8-25](#)):

- School board vacancies are filled by appointment.
 - The appointment is made by the remaining school board members.
 - A resigning member remains in office until their successor is appointed and qualified (SDCL [13-8-24](#)).
- The appointee will serve until the next succeeding election, at which time a successor shall be elected to serve the unexpired term.



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TEMPORARY VACANCIES – SCHOOL DISTRICTS

Causes (SDCL [3-4-8](#); [3-4-9](#)):

- A member of a governing body may choose to temporarily resign if they are:
 - Called into active duty by the South Dakota National Guard or another reserve component of the Armed Forces of the United States
 - Incapacitated by illness or an accident

Filling a Temporary Vacancy

- A temporary replacement is made by appointment.
 - The replacement will serve until the original member returns or the member's term expires, whichever comes first.
 - If the replacement serves until the original member's term expires and no person files for the position, then a vacancy is created, and the replacement would need to be re-appointed to continue in office.
 - The appointee will serve until the next succeeding election, at which time a successor shall be elected to serve the unexpired term.



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QUESTIONS?