

SOUTH DAKOTA

POST-ELECTION AUDIT GUIDE



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INTRODUCTION

South Dakota Codified Law (SDCL) calls for a post-election audit after each primary and general election to review voted ballots in five (5) percent of voting precincts and to compare the paper record with the results produced by automatic tabulating equipment. Through this review of voted ballots, election officials can verify whether the automatic tabulating equipment used to count votes after each election worked properly and yielded the correct results. This guide will thoroughly review the post-election audit process, including all procedures that must be performed before, during, and after the conduct of an election.

POST-ELECTION AUDIT Q&A

WHAT IS THE TIMELINE FOR COMPLETING THE POST-ELECTION AUDIT?

Within fifteen (15) days following the completion of the state canvassing of a primary or general election, the auditor of each county shall conduct a post-election audit of the ballots cast in the election ([SDCL 12-17B-18](#)).

WHO APPOINTS THE AUDITING BOARD?

The county auditor shall appoint a county auditing board of sufficient size to promptly complete the audit ([SDCL 12-17B-18](#); [ARSD 5:02:23:03](#)).

DOES THE AUDITING BOARD NEED TO TAKE AN OATH?

Yes, the members of the post-election auditing board must take an oath ([SDCL 12-17B-18](#); [ARSD 5:02:23:01](#)).

WHAT IS THE MAKEUP OF THE AUDITING BOARD, AND WHAT ARE THE REQUIREMENTS FOR BEING A MEMBER?

The members of the county auditing board must be registered voters in the county in which the audit takes place, and they may not all be members of the same political party. Poll workers are eligible to serve as members of the county auditing board. An individual may not serve on the county auditing board if the individual is a candidate for the office that is on the ballot being audited ([SDCL 12-17B-18](#); [ARSD 5:02:23:05](#)).

WHO PAYS FOR THE POST-ELECTION AUDIT?

The office of the secretary of state shall reimburse each county for the cost of any post-election audit based on the rates enumerated in [ARSD 5:02:23:15](#).

WHAT PERCENTAGE OF PRECINCTS ARE AUDITED?

The post-election audit must be conducted in five (5) percent of the precincts in the county by manually counting all votes cast in two (2) contests and comparing the results of the manual count with the official results for those precincts, as certified at the county canvass ([SDCL 12-17B-20](#); [ARSD 5:02:23:02](#)).

HOW AND WHEN ARE PRECINCTS SELECTED FOR THE POST-ELECTION AUDIT?

The county auditor shall select the precincts for the post-election audit at random, without the use of a computer, in public during the meeting of the county canvassing board ([SDCL 12-17B-20](#)).

HOW MANY BALLOTS ARE AUDITED?

All the ballots in the precincts selected are audited, however, if the combined total of all ballots cast in the precincts selected does not exceed one hundred (100) ballots, then additional precincts must be randomly selected until the total of all ballots exceeds one hundred (100) ballots. For the purposes of this section, the term precinct includes vote centers, but does not include any precinct designated as an absentee precinct ([SDCL 12-17B-20](#)).

HOW AND WHEN ARE CONTESTS SELECTED FOR THE POST-ELECTION AUDIT?

The county auditor shall select the contests for the post-election audit at random, without the use of a computer, in public during the meeting of the county canvassing board. One contest randomly selected for the audit must be a statewide contest. If there are no statewide contests on the ballot, the auditor shall randomly select another contest on the ballot. If there is only one contest on the ballot, that contest must be audited ([SDCL 12-17B-20](#)).

IS THE POST-ELECTION AUDIT OPEN TO THE PUBLIC, AND WHO NEEDS TO BE NOTIFIED?

A post-election audit must be open to the public. Members of the public shall keep a reasonable distance so as to not interfere with the audit process. The county auditor shall post notice of the time and place of the audit in the same manner as a public meeting agenda pursuant to [SDCL 1-25-1.1](#) and provide the notice to the county chair of each political party that has a candidate on the ballot ([SDCL 12-17B-21](#); [ARSD 5:02:23:07](#)).

HOW SHOULD THE RESULTS OF THE POST-ELECTION AUDIT BE PUBLISHED?

The county auditor shall send the results of the post-election audit to the secretary of state, and the secretary of state shall publish the results on their website. The county auditor shall also present the results of the post-election audit to the county commission at its next meeting and include the results in the minutes of the meeting ([SDCL 12-17B-22](#)).

DO IMPACTED CANDIDATES NEED TO BE NOTIFIED?

If the results of the post-election audit show a discrepancy in the results greater than the margin by which any contest for elected office on the ballot in the county was decided, the auditor shall notify the candidates for that office. Any candidate who receives a notification from the county auditor shall have an additional seven days from the date from when the auditor sends the notification to file a verified petition requesting a recount of the official returns pursuant to [SDCL 12-21-10](#) or [SDCL 12-21-11](#). The petition may be filed regardless of the margin by which the contest was decided ([SDCL 12-17B-23](#)).

WHAT IF A CONTEST SELECTED FOR THE POST-ELECTION AUDIT HAD A RECOUNT?

If a recount is conducted in a county, a post-election audit is not required ([SDCL 12-17B-24](#)).

HOW SHOULD VOTES BE COUNTED DURING A POST-ELECTION AUDIT?

Only marks that automatic tabulating equipment would count should be counted during a post-election audit ([ARSD 5:02:23:09](#)).

WHAT SHOULD BE DONE WITH THE BALLOTS AFTER THE POST-ELECTION AUDIT?

The county auditor shall reseal and retain the ballots, pursuant to [SDCL 12-2-31](#), upon the completion of a post-election audit ([SDCL 12-17B-25](#)).

HOW SHOULD AUTOMATIC TABULATING EQUIPMENT AND BALLOT BOXES BE SEALED?

Automatic tabulating equipment should be sealed by following the procedures established in [ARSD 5:02:09:01.04](#), and ballot boxes should be sealed by following the procedures established in [ARSD 5:02:16:37](#).

CONDUCTING A POST-ELECTION AUDIT

WHERE SHOULD I START?

Room Preparation

Please make sure that the location you have selected for your post-election audit is prepared. You will need to do the following for the audit:

- Designate a secure area for storage containers that will hold all scanned ballots that have been verified, sealed, and added to the ballot manifest.
- Ensure that there is enough room in the facility to accommodate both staff and observers as ballots are being retrieved and examined. If space is limited, consider retrieving ballots where they are stored and transferring the ballots selected for audit to an alternate location for the examination portion of the audit. Be sure to follow all chain of custody protocols.

Supplies

Please make sure that all of your ballots and supplies are organized before your post-election audit begins. You will need the following for the audit:

- Reconciliation reports.
- Ballot storage container(s) and labels.
- Batch tracking sheets (see example below).

Tracking Sheet	
Precinct ID	4
Container ID	1
# of Ballots	145

Prepared by

Name / Date

- Ballot manifest (see example below).

Ballot Manifest		
Precinct Number	Container ID	# of Ballots
1	Box 1	125
2	Box 2	127
3	Box 3	150
4	Box 4	145
5	Box 5	136

- Batch labels (e.g., header sheets and folder labels).
- Chain of custody logs and extra seals.
 - In some jurisdictions, the label on the container has been designed to double as the chain of custody log (i.e., it has a place for individuals to sign and a list of who has handled the container).

- Oaths for county auditing board members ([ARSD 5:02:23:01](#)).
- Ballot receipt for official ballots ([ARSD 5:02:23:06](#)).
- Auditing procedures ([ARSD 5:02:23:09](#)).
- Tally sheets ([ARSD 5:02:23:11](#)).
- Certificate(s) of post-election audit ([ARSD 5:02:23:12](#)).
- Pens (multiple colors).
- Scissors.
- Rubber fingers.

Staffing

Be mindful when choosing individuals to help with your post-election audit.

- If you can, try not to use individuals who served as election workers. You don't want your audit to run into any conflicts of interest.
- Reach out to your local chambers of commerce, veteran groups, rotary groups, community service groups, and other groups to find individuals who are willing to serve.
- Communicate with your cities and schools to see if they have individuals that they would recommend.

For support staff, you will need:

- Staff assigned to verify that ballot container labels are completed correctly.
- Staff assigned to enter information from ballot containers into the ballot manifest.
- Staff assigned to validate data in the ballot manifest by performing a reconciliation.

You will also need to appoint a post-election auditing board of sufficient size to promptly complete the audit. Please note that members of the post-election auditing board may not all be members of the same political party ([SDCL 12-17B-18](#)).

- Odd-numbered boards are recommended, and you can have multiple odd-numbered boards working together to conduct the audit.
- You will need to create a notice of appointment of post-election auditing board ([ARSD 5:02:23:03](#)).
- All of your post-election auditing board members and any additional workers will need to sign an oath ([SDCL 12-17B-18](#); [ARSD 5:02:23:01](#); [ARSD 5:02:23:04](#)).

BEFORE THE ELECTION

Review the ballot accounting practices that will be followed during your election, including batch tracking forms, reconciliation and tally sheets, as well as chain of custody procedures and forms. Develop a good understanding of all this, know where everything is located within your county, and ensure that everything is secure.

Polling location reconciliation forms, mail/absentee ballot batch tracking forms, and chain of custody logs should be reviewed or audited prior to your post-election audit or in conjunction with it. This includes verifying that all of the information from these forms is transferred to batch and container labels.

You should also regularly review how and where ballots will be securely stored before, during, and after your election. Also remember to frequently reconcile your ballots—ideally each day before the election—to ensure that they are secure and that everything is accounted for.

DURING THE ELECTION

Have your election workers document and inform you of any incidents that transpired during the election. This can help you address any discrepancies that are found during your post-election audit.

AFTER THE ELECTION

Make sure you have organized and stored your ballots in way that will make handling them easy for you and your staff during the post-election audit. Have precincts banded together or separated in some way if you are storing more than one precinct in a secure container or receptacle.

When ballots are transferred from the polling location to your central-count location, they should be locked and sealed in a storage container (bag, box, or bin) that is labeled with the following:

- Polling location name or number (e.g., precinct number).
- Batch tracking sheets (see example below).
- Container ID number (i.e., a unique number assigned to the ballot storage container).
- Total number of ballots sealed in the container (look at the reconciliation form or closing report).
- Security seal number.
- Name or initials of the individual(s) who verified the quantity of ballots and sealed the container.

DURING THE COUNTY CANVASS

During the county canvass, you are responsible for selecting the precincts and contests that will be audited. Precincts and contests must be selected at random without the use of a computer during the meeting of the county canvassing board ([SDCL 12-17B-20](#)).

- For example, you may draw precincts and contests out of a hat as a form of random selection.
- Remember to reach out to all candidates and/or sponsors whose contests were selected.

DURING THE POST-ELECTION AUDIT

Preparation

The county auditor is responsible for providing the county auditing board with administrative support and staff ([ARSD 5:02:23:05](#)).

- All ballots and materials should be ready for the county auditing board to use when the post-election audit begins.
- Make sure that all your county auditing board members and any other workers have signed the required oath ([ARSD 5:02:23:01](#)), and that the notice of appointment of post-election auditing board was completed correctly ([ARSD 5:02:23:03](#)).

The post-election auditing board will need to complete the post-election auditing board receipt for official ballots before unsealing the ballot box ([ARSD 5:02:23:06](#)).

After the receipt is filled out, the ballot box should be unsealed and opened. All of the ballots should be taken out of the ballot box and then sorted by precinct ([ARSD 5:02:23:08](#)).

- At this point, it is important to ensure that each post-election auditing board member is aware of which precincts and contests will be audited.

Statutory Auditing Procedures

Begin by reviewing the auditing procedures outlined in [ARSD 5:02:23:09](#) with your post-election auditing board members and any other staff.

The post-election auditing board should manually count the votes cast and record them on tally sheets. As each vote is announced by a post-election auditing board member, another board member should make the appropriate mark on the post-election audit tally sheet, and yet another board member should make the same mark on a duplicate post-election audit tally sheet ([ARSD 5:02:23:10](#); [ARSD 5:02:23:11](#)).

- The post-election auditing board should only consider marks that automatic tabulating equipment would count, regardless of the voter's intent. This ensures consistency in the counting procedures followed when votes were first counted after the election and those followed during the post-election audit.
- If a voter's choice is not clear and the post-election auditing board members cannot reach a decision on how to count it, they can indicate that there was a "disagreement" on the tally sheet.

Please remember that the post-election audit must be open to the public ([SDCL 12-17B-21](#)); however, an individual may be excluded from the audit if their conduct is disruptive ([ARSD 5:02:23:07](#)). It is important to maintain an atmosphere that is conducive to the detail-oriented task that the post-election auditing board is required to complete. The Center for Civic Design has prepared [sign templates](#) to help organize post-election audits and inform the public of the process, which may be used if desired.

The post-election auditing board may not adjourn until the count is complete and the certificate of post-election audit has been signed ([ARSD 5:02:23:07](#); [ARSD 5:02:23:12](#)).

Make sure that the ballots are resealed before the post-election auditing board adjourns ([SDCL 12-17B-25](#)). The ballots should be retained for the period prescribed in [SDCL 12-20-31](#).

Recommended Auditing Procedures

1. A standard post-election auditing board should be composed of five (5) members: one (1) person to read the votes aloud, one (1) person to verify that the reader read the ballot correctly, two (2) talliers, and one (1) overseer. More boards can be added depending on the scale of the audit.
2. Ballots should always be divided into consistent batches before the tallying process begins. Batches of twenty-five (25) ballots are recommended, but larger or smaller batches can be used as needed.
3. Consider having your post-election auditing board members divide ballots into batches based on the choice that each voter made. For example, one batch should contain votes for Candidate A and another batch should contain votes for Candidate B.
4. During the post-election audit, talliers should alternate between different-colored pens. For example, a blue pen can be used for one batch and a red pen can be used for the next batch.
5. Try to have your post-election auditing board members switch between reading, tallying, and observing as the audit progresses. This will help ensure that everyone remains focused and alert.

The Elections Group has also prepared [guides](#) for different auditing procedures, which can also be used if desired.

AFTER THE POST-ELECTION AUDIT

Immediately after the post-election auditing board adjourns, send the certificate(s) of post-election audit to the secretary of state, who will publish it/them on their website. The results of the audit should also be included in the minutes of the next county commission meeting ([SDCL 12-17B-22](#)).

- Make sure to list any major findings and/or discrepancies, if any.

Please save all receipts associated with your post-election audit to help you submit expenses from the post-election audit to the secretary of state for reimbursement.

- Remember to use the forms designated by the secretary of state for this purpose. These forms will be sent out by the secretary of state after each primary and general election.

A list of reimbursable post-election audit expenses and reimbursement rates can be found in [ARSD 5:02:23:15](#).

- Expenses related to or associated with the primary or general election are not reimbursable post-election audit expenses. A list of non-reimbursable expenses can also be found in [ARSD 5:02:23:15](#).

STATUTES

12-17B-18. Post-election audit--Auditing board--Members--Promulgation of rules.

Within fifteen days following the completion of the state canvassing of a primary or general election, the auditor of each county shall conduct a post-election audit of the ballots cast in the election following the procedures listed in this section and §§ 12-17B-19 to 12-17B-25, inclusive. The county auditor shall appoint a county auditing board of sufficient size to promptly complete the audit.

The members of the county auditing board may not all be members of the same political party. A member of the county auditing board must be a registered voter in the county in which the audit takes place. An individual may not serve on the county auditing board if the individual is a candidate for the office that is on the ballot being audited.

The State Board of Elections shall promulgate rules, pursuant to chapter 1-26, prescribing the oath that each member of a county auditing board must take prior to discharging any duties.

Source: SL 2023, ch 50, § 1.

12-17B-19. Post-election audit--Payment of costs--Promulgation of rules.

The office of the secretary of state shall reimburse each county for the cost of any post-election audit required by §§ 12-17B-18 to 12-17B-25, inclusive. The State Board of Elections shall promulgate rules, pursuant to chapter 1-26, administering the reimbursement process and defining reimbursable expenses and reimbursement rates for post-election audits.

Source: SL 2023, ch 50, § 2.

12-17B-20. Post-election audit--Procedure--Precinct defined.

The post-election audit must be conducted in five percent of the precincts in the county by manually counting all votes cast in two contests and comparing the results of the manual count to the results for those precincts at the county canvass. The county auditor shall select the precincts for the audit at random without the use of a computer in public during the meeting of the county canvassing board. If the combined total of all ballots cast in the precincts selected does not exceed one hundred ballots, then additional precincts must be randomly selected until the total of all ballots exceeds one hundred ballots. For the purposes of this section, the term precinct includes vote centers, but does not include any precinct designated as an absentee precinct.

The county auditor shall select the contests for the audit at random without the use of a computer in public during the meeting of the county canvassing board. One contest randomly selected for the audit must be a statewide contest. If there are no statewide contests on the ballot, the auditor randomly shall select another contest on the ballot. If there is only one contest on the ballot, that contest must be audited.

Source: SL 2023, ch 50, § 3.

12-17B-21. Post-election audit--Public access--Notice--Publication.

A post-election audit conducted pursuant to §§ [12-17B-18](#) to [12-17B-25](#), inclusive, must be open to the public. Members of the public shall keep a reasonable distance so as to not interfere with the audit process. The county auditor shall post notice of the time and place of the audit in the same manner as a public meeting agenda pursuant to § [1-25-1.1](#) and provide the notice to the county chair of each political party that has a candidate on the ballot. The person in charge of the election shall post the notice of the time and place of the audit to the secretary of state's website.

Source: SL 2023, ch 50, § 4; SL 2025, ch 65, § 2.

12-17B-22. Publication of results.

The county auditor shall send the results of the post-election audit to the secretary of state and present the results of the audit to the county commission at its next meeting. The results of the audit shall be included in the minutes of the county commission meeting.

The secretary of state shall publish the results of the post-election audit on the secretary of state's website.

Source: SL 2023, ch 50, § 5.

12-17B-23. Post-election audit--Notice to candidates impacted--Recount petition.

If the results of the post-election audit show a discrepancy in the results greater than the margin by which any contest for elected office on the ballot in the county was decided, the auditor shall notify the candidates for that office. Any candidate who receives a notification from the county auditor shall have an additional seven days from the date from when the auditor sends the notification to file a verified petition requesting a recount of the official returns pursuant to §§ [12-21-10](#) or [12-21-11](#). The petition may be filed regardless of the margin by which the contest was decided.

Source: SL 2023, ch 50, § 6.

12-17B-24. Post-election audit not required with particular recounts.

If a recount of any contest is conducted in a county, the county auditor is not required to conduct a post-election audit pursuant to § [12-17B-18](#).

Source: SL 2023, ch 50, § 7.

12-17B-25. Post-election audit--Ballots secured.

The county auditor shall reseal and retain the ballots upon the completion of a post-election audit pursuant to § [12-20-31](#).

Source: SL 2023, ch 50, § 8.

ADMINISTRATIVE RULES

CHAPTER 05:02:23

POST-ELECTION AUDITS

Section

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05:02:23:12	Certificate of post-election audit.
05:02:23:13	Reserved.
05:02:23:14	Reserved.
05:02:23:15	Reimbursement of post-election audit costs.

05:02:23:01. Oath of post-election audit board. Before performing any duty pertaining to the post-election audit of an election, each post-election audit board member shall make the following oath or affirmation:

I, (name), do solemnly swear (or affirm) that I will, to the best of my ability, impartially perform the duties of post-election audit board member in good faith according to law, and that I meet the qualifications to serve as a member of the post-election audit board.

Source: 50 SDR 12, effective August 8, 2023.

General Authority: SDCL [12-1-9\(11\)](#), [12-17B-18](#).

Law Implemented: SDCL [12-17B-18](#).

05:02:23:02. Definitions. Terms used in this chapter mean:

- (1) "Counted ballot," a voted ballot counted by the post-election auditing board in at least one contest;
- (2) "Seal," A security mechanism using strategically placed serialized or tamper-evident materials that alert officials if a device used in the elections process has potentially been altered or accessed without authorization;
- (3) "Board member," A member of the post-election auditing board meeting the requirements of SDCL [12-17B-18](#);
- (4) "Over vote," a race in which more votes were cast on a ballot than allowed for that race;
- (5) "Voted ballot," a ballot placed in the ballot box at any time;
- (6) "Write-in vote," a name written on a ballot in an attempt to indicate a vote for that person; and
- (7) "Manual count," as defined by counting other than be electronic device.

Source: 50 SDR 63, effective December 5, 2023.

General Authority: SDCL [12-1-9\(4\)\(11\)](#).

Law Implemented: SDCL [12-17B-18](#).

05:02:23:06. Post-election auditing board receipt for official ballots. The post-election auditing board's receipt for the official precinct ballots must be in the following form:

STATE OF SOUTH DAKOTA
_____ COUNTY
_____ PRECINCT

We, the Post-Election Auditing Board Members, do hereby certify that on the ____ day of _____, 20____, at the post-election audit for the (Primary or General) election held on _____, 20____, we received from _____, County Auditor, a sealed package containing the following official precinct ballots:

(Here list the official precinct ballots received)

_____	_____
_____	_____
_____	_____
_____	_____

for the purpose of conducting a post-election audit.

Dated this ____ day of _____, 20____.

_____	Post-Election Auditing Board member
_____	Post-Election Auditing Board member
_____	Post-Election Auditing Board member
_____	Post-Election Auditing Board member
_____	Post-Election Auditing Board member

(add additional lines when necessary)

Source: 50 SDR 66, effective December 5, 2023.
General Authority: SDCL [12-1-9\(4\)\(11\)](#).
Law Implemented: SDCL [12-17B-18](#).

05:02:23:07. Public vote count. At the post-election audit, the post-election auditing board shall publicly manually count the votes and only adjourn after the count is completed and the certificate of post-election audit signed. The post-election auditing board may only exclude or prohibit a member of the public from witnessing any portion of the post-election audit if that person's conduct is disruptive.

Source: 50 SDR 66, effective December 5, 2023.
General Authority: SDCL [12-1-9\(4\)\(11\)](#).
Law Implemented: SDCL [12-17B-18](#).

05:02:23:08. Opening receptacle or container. The sealed receptacle or container must be unsealed and the ballots taken out, and sorted by precinct.

Source: 50 SDR 66, effective December 5, 2023.
General Authority: SDCL [12-1-9\(4\)\(11\)](#).
Law Implemented: SDCL [12-17B-18](#), [12-17B-20](#), [12-17B-25](#).

05:02:23:09. Auditing procedures. The following procedure must be used in auditing a precinct by manually counting the ballots:

(1) The post-election auditing board shall review ballots for proper marking procedure according to the voting instructions below. The post-election auditing board shall determine the votes to count as follows:

- (a) A mark that is inside the oval on an optical scan ballot is counted as a vote;
- (b) Any mark on an optical scan ballot that does not touch the oval and is not in the oval may not be counted as a vote;
- (c) A mark on an optical scan ballot that touches two or more ovals is an over-vote and not counted;
- (d) A write-in vote may not be counted; and
- (e) Express votes are to be counted as shown on the Express vote ballot;

(2) A majority vote of the post-election auditing board shall determine any question arising from the post-election audit; and

(3) The post-election auditing board shall certify the results as manually counted for the post-election audit by completing the certificate of post-election audit as provided in § 5:02:23:12. The board shall file the certificate of post-election audit with the county auditor.

Source: 50 SDR 66, effective December 5, 2023.

General Authority: SDCL 12-1-9(4)(11).

Law Implemented: SDCL 12-17B-18, 12-17B-20, 12-17B-22.

05:02:23:10. Tally of ballots. As the vote is announced by a post-election auditing board member, another board member must make the appropriate mark on the post-election audit tally sheet prescribed in § 5:02:23:11. Yet another board member shall make the appropriate mark on a duplicate post-election audit tally sheet.

Source: 50 SDR 66, effective December 5, 2023.

General Authority: SDCL 12-1-9(4)(11).

Law Implemented: SDCL 12-17B-20.

05:02:23:11. Post-election audit tally sheets. As shown below, a post-election audit tally sheet must contain a series of horizontal and vertical grid lines to form boxes of suitable size to contain five tally marks each, four of which may be upright and the fifth crossing the others at an oblique angle. Each fifth vertical grid line in the ruling must be red, so that five boxes for tally marks are contained between two red lines. Sufficient space must be provided in the left margin of each post-election audit tally sheet to legibly print or write in ink the name of the contest audited, with the name of the individual candidates or ballot question answers listed in the same order as on the official ballots used in the election. Sufficient space must be allowed in the right margin of the post-election audit tally sheet to legibly print or write in ink the total votes for each candidate or ballot question answer counted.

POST-ELECTION AUDITING TALLY SHEET

ELECTION: _____

AUDIT DATE: _____

COUNTY AND PRECINCT: _____ # OF BALLOTS _____
Received from Auditor

CONTEST NAME: _____

CANDIDATE NAME OR QUESTION	TOTAL VOTES:							

CANDIDATE NAME OR QUESTION	TOTAL VOTES:							

(add as many candidate names and tally boxes as necessary)

AUDITING BOARD MEMBER: _____ (PRINT) _____ (SIGN)

AUDITING BOARD MEMBER: _____ (PRINT) _____ (SIGN)

(add as many lines as necessary)

Source: 50 SDR 66, effective December 5, 2023.

General Authority: SDCL [12-1-9\(4\)\(11\)](#).

Law Implemented: SDCL [12-17B-20](#).

05:02:23:12. Certificate of post-election audit. The certificate of post-election audit must be in the following form:

STATE OF SOUTH DAKOTA)
) SS CERTIFICATE OF POST-ELECTION AUDIT
COUNTY OF _____)

WE, THE UNDERSIGNED members of the post-election auditing board, do hereby certify the results of the audit for the following specified candidates or questions _____ for the election held on the ____ day of _____, _____. We completed the audit on the ____ day of _____, _____.

Precinct _____			
	Total Votes	Total Yes	Total No
Candidate Name	_____		
Candidate Name	_____		
Ballot Question Name		_____	_____

The following is a brief description of the proceedings of this post-election audit:

Signed by a majority of the post-election auditing board:

Post-Election Auditing Board Member

Post-Election Auditing Board Member

Post-Election Auditing Board Member
(add more board member lines as necessary)

Attested under SEAL by the _____ County Auditor: _____

Source: 50 SDR 66, effective December 5, 2023.

General Authority: SDCL [12-1-9\(4\)\(11\)](#).

Law Implemented: SDCL [12-17B-18](#), [12-17B-20](#), [12-17B-22](#).

05:02:23:13. Reserved.

05:02:23:14. Reserved.

05:02:23:15. Reimbursement of post-election audit costs. The county auditor shall submit expenses from the post-election audit to the secretary of state for reimbursement. The auditor shall use the forms designated by the secretary of state for this purpose.

Reimbursable expenses for the audit, are:

- (1) Board member pay for conducting the audit and for training prior to the audit, not to exceed twenty-five dollars per hour worked but no less than minimum wage;
- (2) Supplies, including postage, no more than two hundred dollars;
- (3) Rental costs for the location to conduct the audit, no more than two hundred fifty dollars per day;
- (4) Publication costs, no more than one hundred seventy-five dollars;
- (5) Ballot storage costs, no more than seventy-five dollars;
- (6) Travel (mileage) costs at the state per diem rate for every mile traveled;
- (7) Meal reimbursement at state per diem meal rates; and
- (8) Auditor and auditor's staff actual wages for hours spent training and assisting the post- election audit board.

Expenses related to or associated with the primary or general election are not reimbursable post-election expenses. To avoid confusion, expenses that are not covered are costs related to media programming, ballot printing, ballot shipping, equipment maintenance, statewide ballot question publications, purchasing of election equipment (express votes, tabulators), polling place signage, testing costs, election day workers, postage, and insurance on voting equipment.

Source: 50 SDR 66, effective December 5, 2023.

General Authority: SDCL [12-1-9\(4\)\(11\)](#).

Law Implemented: SDCL [12-17B-9](#).
