

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

571B0437

HOUSE ENGROSSED NO. **HB 1091** - 2/12/2019

Introduced by: Representatives Qualm, Anderson, Chaffee, Chase, Duvall, Finck, Haugaard, Perry, Peterson (Kent), and Randolph and Senators Bolin, Blare, Cronin, Klumb, and Maher

1 FOR AN ACT ENTITLED, An Act to provide for the selection of a lieutenant governor by a
2 candidate for governor.

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

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

5 A candidate for Governor shall certify the candidate's selection of lieutenant governor to the
6 secretary of state by the second Tuesday in August preceding the general election. The State
7 Board of Elections shall prescribe the form for the certification of a selection of lieutenant
8 governor under this section by rule promulgated in accordance with chapter 1-26.

9 Section 2. That chapter 12-5 be amended by adding a NEW SECTION to read:

10 A candidate certified to be selected as lieutenant governor under section 1 of this Act shall
11 file a statement of financial interest with the secretary of state not more than fifteen days after
12 the candidate's certification. A violation of this section is a petty offense. An intentional
13 violation of this section is a Class 2 misdemeanor.

14 Section 3. That § 12-5-21 be amended to read:



1 12-5-21. The state convention shall nominate candidates for ~~lieutenant governor~~, attorney
2 general, secretary of state, state auditor, state treasurer, commissioner of school and public
3 lands, and public utilities commissioner and, in the years when a President of the United States
4 is to be elected, presidential electors and national committeeman and national committeewoman
5 of the party.

6 Section 4. That § 12-25-29 be amended to read:

7 12-25-29. Any candidate for ~~lieutenant governor~~, state treasurer, attorney general, secretary
8 of state, state auditor, public utilities commissioner, or commissioner of school and public lands
9 shall file a statement of financial interest with the secretary of state not more than fifteen days
10 after the candidate's nomination is certified. A violation of this section is a petty offense. Any
11 intentional violation of this section is a Class 2 misdemeanor.

12 Section 5. That § 12-7-1.2 be amended to read:

13 12-7-1.2. An independent candidate for Governor shall certify the candidate's selection for
14 lieutenant governor to the secretary of state with the candidate's nominating petition by the
15 second Tuesday in August preceding the general election. The candidate and the candidate's
16 selection for lieutenant governor shall sign the certification before the nominating petitions are
17 circulated. If an independent candidate for lieutenant governor withdraws, no independent
18 candidate for Governor may have the candidate's name printed upon a ballot unless a
19 replacement selection for lieutenant governor is certified to the secretary of state by the second
20 Tuesday in August. The State Board of Elections shall promulgate rules, pursuant to chapter 1-
21 26, prescribing the forms for the certification for lieutenant governor.

22 Section 6. That chapter 12-7 be amended by adding a NEW SECTION to read:

23 A candidate certified to be selected as lieutenant governor under § 12-7-1.2 shall file a
24 statement of financial interest with the secretary of state not more than fifteen days after the

- 1 candidate's certification. A violation of this section is a petty offense. An intentional violation
- 2 of this section is a Class 2 misdemeanor.