



2021 South Dakota Legislature
Senate Bill 102
ENROLLED

AN ACT

ENTITLED An Act to protect voter registration information for certain voters.

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

Section 1. That a NEW SECTION be added:

12-4-9.2. Secured active designation.

A person eligible to vote under § 12-4-1 may apply to the secretary of state to be listed in the master registration file with a secured active designation.

The secretary of state shall certify a secured active designation if an applicant provides a sworn application that affirms one of the following:

- (1) The applicant has obtained an active protection order under chapter 25-10 or chapter 22-19A, which the secretary of state shall verify with the Unified Judicial System; or
- (2) The applicant resides in a shelter established pursuant to chapter 25-10. The applicant shall obtain authorization signed by an official of the shelter.

Upon receipt of the application, the secretary of state shall verify with the Unified Judicial System that the applicant petitioned for the protection order and the order is active.

A voter record with a secured active designation shall be excluded from public inspection or copying, except if requested by a law enforcement agency, if directed by a court order, or if a secured active designation has been cancelled at the request of the secured active designee.

A secured active designation remains in effect for five years.

The State Board of Elections shall promulgate rules, pursuant to chapter 1-26, to prescribe the notices and forms, as well as any criteria and procedures for approving applications pursuant to this Act.

An Act to protect voter registration information for certain voters.

I certify that the attached Act originated in
the:

Senate as Bill No. 102

Received at this Executive Office
this _____ day of _____,
2021 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this _____ day of
_____, A.D., 2021

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2021
at _____ o'clock ___ M.

Chief Clerk

Secretary of State

Senate Bill No. 102
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State