

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

258W0444

SENATE BILL NO. 111

Introduced by: Senators Parsley, Buhl O'Donnell, Haverly, Hunhoff (Bernie), Olson, Omdahl, and Sutton and Representatives Wollmann, Bartling, Bolin, Feickert, Gibson, Johns, McCleerey, Otten (Herman), Rasmussen, Ring, Romkema, Schoenfish, and Schrempp

1 FOR AN ACT ENTITLED, An Act to repeal the provision that invalidates absentee ballots cast
2 by voters who died before the date of the election.

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

4 Section 1. That § 12-19-49 be repealed.

5 ~~— 12-19-49. If, prior to the casting of absentee ballots, the person in charge of the election or~~
6 ~~absentee ballot counting board shall have sufficient cause to believe that any voter who has~~
7 ~~marked and forwarded an absentee ballot has died prior to the opening of the polls on the date~~
8 ~~of the election, the ballot of the voter shall be returned in the sealed return envelope with the~~
9 ~~evidence of death attached and the envelope marked "Unopened by reason of death of voter" to~~
10 ~~the person in charge of the election. The casting of any such ballot, however, shall not invalidate~~
11 ~~the election.~~

