



2021 South Dakota Legislature
Senate Bill 145
ENROLLED

AN ACT

ENTITLED An Act to revise the process of filling vacancies for candidates for elected office.

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

Section 1. That § 12-6-56 be AMENDED.

12-6-56. Party committee--Party candidate vacancies.

If a vacancy occurs by reason of death or withdrawal after a primary election, a party candidate for public office may be chosen if a meeting of the appropriate party central committee is held and the results are certified to the appropriate official within the times prescribed by § 12-8-6.

If the vacancy is a party candidate for presidential elector or statewide office, the vacancy shall be filled by the State Party Central Committee. If the vacancy is a party candidate for public office other than presidential elector or statewide office, the vacancy shall be filled by a vote of county party central committee members in attendance who reside in the affected district.

The certification of the results shall be signed by the person responsible for calling the meeting under § 12-6-57 or the person designated to conduct the meeting under § 12-6-57.

Section 2. That § 12-6-57 be AMENDED.

12-6-57. Meeting of party committee to fill vacancies--Manner of voting.

To fill a vacancy for a party candidate to a:

- (1) State office or as a presidential elector, the party State Central Committee chairman shall call a central committee meeting to fill the vacancy, and designate the time and place where the meeting shall be held;
- (2) Multi-county legislative district, the party State Central Committee chairman shall call a meeting of affected county party central committee members to fill the

vacancy, designate the time and place where the meeting shall be held, designate the person who will conduct the meeting, and notify all affected central committee members of this information;

- (3) Single-county legislative district or county office, the county party central committee chairman shall call a meeting of the county party central committee to fill the vacancy and designate the time and place where the meeting shall be held.

Vacancies filled by State Central Committee shall be by unit representation, each county casting the number of votes cast in that county at the last general election for that party's candidate for Governor. All other vacancies shall be filled by a majority vote of the affected committee members present.

An Act to revise the process of filling vacancies for candidates for elected office.

I certify that the attached Act originated in
the:
Senate as Bill No. 145

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. 145
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State