2024 South Dakota Legislature

Senate Bill 13

Introduced by: ***Senator*** *Mehlhaff*

An Act to revise the process for nominating candidates for lieutenant governor.

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

Section 1. That chapter 12-5 be amended with a NEW SECTION:

A candidate for Governor shall nominate a candidate for lieutenant governor and shall certify the nomination to the secretary of state no later than 5:00 p.m. central time on the second Tuesday in August in the year of the election. The candidate for Governor and the candidate's nominee for lieutenant governor shall sign the certification. The State Board of Elections shall promulgate rules, pursuant to chapter 1-26, to prescribe the form for the certification of a candidate for lieutenant governor.

A candidate for lieutenant governor may withdraw the nomination by filing a request under oath with the secretary of state. If a candidate for lieutenant governor withdraws, the candidate for Governor must nominate a replacement and certify the nomination to the secretary of state pursuant to this section. The secretary of state may not place the name of the candidate for Governor on the general election ballot until a candidate for lieutenant governor has been certified.

Section 2. That § 12-5-21 be AMENDED:

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

Section 3. That § 12-7-1.2 be AMENDED:

12-7-1.2. An independent candidate for Governor shall ~~certify the candidate's selection~~ nominate a candidate for lieutenant governor and shall certify the nomination to the secretary of state ~~with the candidate's nominating petition~~ no later than 5:00 p.m. central time on the second Tuesday in August in the year of election. The candidate and the candidate's ~~selection~~ nominee for lieutenant governor shall sign the certification ~~before the nominating petitions are circulated~~.

~~If an~~An independent candidate for lieutenant governor ~~withdraws, no~~ may withdraw by filing a request under oath with the secretary of state. If an independent candidate for lieutenant governor withdraws, the independent candidate for Governor ~~may have the candidate's name printed upon a ballot unless~~ must nominate a replacement ~~selection~~candidate for lieutenant governor ~~is certified~~ and certify the nomination to the secretary of state ~~by the second Tuesday in August~~ pursuant to this section. The secretary of state may not place the name of the candidate for Governor on the general election ballot until a candidate for lieutenant governor has been certified.

The State Board of Elections shall promulgate rules, pursuant to chapter 1-26, prescribing the forms for the certification for lieutenant governor.