

South Dakota State Board of Elections  
Notice of Public Hearing to Adopt Rules

A public hearing will be held in the conference room of the Secretary of State's Office, Business Services Building, 215 E. Prospect Ave., Pierre, South Dakota, on June 18, 2018, at 10:00 a.m. Central Time, to consider the adoption and amendment of proposed rules numbered

§§ 5:02:03:19; 5:02:04:17; 5:02:06:10.03; 5:02:08:00; 5:02:08:00.01; 5:02:08:00.05;  
5:02:08:07; 5:02:08:07.01; 5:02:08:08; 5:02:08:09; 5:02:08:45; 5:02:09:16; and  
5:02:10:04; inclusive.

The effects of the rules are the following: Provide a check box on the Voter Registration Address Verification Notice to check if the person no longer lives at that address to make the process easier on the auditors when receiving these notices back. Clarify the offices an independent candidate can run for and where the petitions are to be submitted to in the notice of deadline for filing nominating petitions for the primary election and for filing independent candidate petitions. Remove language from the ExpressVote ballot rule that pertains to using an ExpressLink ballot printer at the polling place that was specific to the 2018 primary election as no county will use them in that election. Provide additional requirements to the rules on guidelines for acceptance of petitions and requirements for counting signatures on petitions pursuant to the passage of HB 1004 and 1196 during the 2018 legislative session. Amend the rule for the random sample table for statewide candidates to provide the sample size for up to 20,000 signatures being submitted. Provide additional language in the petition circulator's oath on the statewide initiative, referendum and initiated constitutional petitions to include that the circulator is not attesting to any signature obtained by another person and that the circulator is a resident of South Dakota pursuant to the passage of HB 1196 during the 2018 legislative session. Amend the affidavit of completed ballot petition to include new language the petition sponsor(s) need to provide on each circulator pursuant to the passage of HB 1196 during the 2018 legislative session. Add a new column to the recapitulation sheet to provide for ballot counts for those counties using the new ExpressVote ballot marking device. Clarify the instructions to voters that are sent to voters voting by absentee to inform the voter that they have to pay the postage to return their absentee ballot and that the ballot must be received by the person in charge of the election before the polls close.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by sending them to the South Dakota Secretary of State, State Capitol, 500 East Capitol, Pierre, South Dakota 57501. Material sent by mail must reach the Office of the Secretary of State by June 15, 2018, to be considered at the hearing.

After the hearing, the State Board of Elections will consider all written and oral comments it receives on the proposed rules. The State Board of Elections may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Office of the Secretary of State at least 48 hours

before the public hearing if you have special needs for which special arrangements must be made. The telephone number for making special arrangements is (605) 773-3537.

Copies of the proposed rules may be obtained without charge from the  
State Board of Elections  
c/o Office of the Secretary of State  
State Capitol, Suite 204  
500 East Capitol Avenue  
Pierre, South Dakota 57501

Published at the approximate cost of \$