



Frequently Asked Questions

South Dakota – General Election 2022

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Note: This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter's contact information should follow-up be necessary.

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REGISTERING TO VOTE

1. **ELIGIBILITY:** Can I register to vote?

If the voter meets the requirements listed below, the voter may register to vote:

- Be a United States citizen ([South Dakota Constitution, Article VII, Section 2](#))
- Reside in South Dakota
 - Residents in South Dakota¹
 - a person who has left home and gone into another state, territory or county of South Dakota for a temporary purpose only has not changed their residence,
 - a person is considered to have gained a residence in any county or municipality of South Dakota in which the person actually lives, if the person has no present intention of leaving, and
 - if a person moves to another state or territory, with the intention of making it their permanent home, the person thereby loses residence in South Dakota.
- Be at least 18 years old on or before the next election
- Not currently serving a sentence for a felony conviction which included imprisonment, served or suspended, in an adult penitentiary system ([See question 13](#))
- Not be judged mentally incompetent by a court of law²

2. **PRIMARY ELECTION:** Can I vote in the primary election? Do I have to be a member of a party to vote in its primary?

In a Primary election, the voter is given only the ballot for the party which the voter is registered in, except for voters registered as an Independent or No Party Affiliation (NPA).

¹ S.D. Codified Laws § 12-1-4.

² <https://sdsos.gov/elections-voting/voting/register-to-vote/default.aspx>

- The South Dakota Democratic Primary is open to registered Democrats and Independents/No Party Affiliation voters, but not Republicans.
- The South Dakota Libertarian Primary is open to voters registered as Libertarian, Independent or No Party Affiliation.
- The South Dakota Republican Primary is open to only registered Republicans.³

3. **STATUS:** Am I registered to vote?

A voter can determine whether they are registered to vote by checking the South Dakota Secretary of State's "Voter Information Portal" website. (<https://vip.sdsos.gov/viplogin.aspx>) Voter must provide:

- their first and last name exactly as it appeared on the voter's registration form, AND
- voter's date of birth, OR
- residential zip code.

Voters are instructed not to provide both their date of birth and their residential zip code.

The master voter registration file maintained by the county auditor (i.e., the file of voters in computer format that contains the information of each person registered in each voting precinct within the county) is open to public inspection. However, any information obtained from the statewide or county voter registration files may only be used or sold *for election purposes*, **not** for any commercial purpose. The information may not be placed for unrestricted access on the internet.⁴ (Campaign and political polling activities are not deemed to be a commercial purposes.)

4. **HOW:** How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?

How do I register to vote?

A voter can register to vote by visiting the South Dakota Secretary of State's "Elections & Voting" website (<https://sdsos.gov/elections-voting/voting/register-to-vote/default.aspx>). Following the link, the voter must print the Voter Registration Form, fill-out the form, sign it and then submit it to their county auditor either by in-person delivery or by mail. The voter's Voter Registration form with an original signature must be **received** by the county auditor 15 days before an election in order to vote in that election. South Dakota law does not allow voters to submit their voter registration form via fax or email.

Voters may also register to vote in person at the following locations:

- County auditor's office;
- Driver's license station (when a voter is renewing or applying for a South Dakota driver's license, the voter may also register to vote on the driver's license application);
- City Finance Office;
- Public assistance agencies providing food stamps, TANF or WIC;
- Department of Human Services offices which provide assistance to the disabled; or
- Military recruitment offices.

If the voter is a member of the military or an overseas citizen covered by the Uniformed and Overseas Absentee Voters Act ("UOCAVA"), the voter can go to fvap.gov to access some voter registration procedures available only to the military and overseas citizens. [See answer to [Question 11](#) below for more details about the UOCAVA process.]

³ <https://sdsos.gov/elections-voting/voting/register-to-vote/default.aspx>

⁴ S.D. Codified Laws §§ 12-4-9, 12-4-41.

Can I register online?

No, in most cases. If the voter is a member of the military or an overseas citizen covered by the Uniformed and Overseas Absentee Voters Act (“UOCAVA”), the voter can go to fvap.gov to access some voter registration procedures available only to the military and overseas citizens. [See answer to [Question 11](#) below for more details about the UOCAVA process.]

NOTE: The voter must designate a party, or “no party affiliation,” when registering in order to get the correct ballot in a primary election. If the voter is currently registered to vote and leaves the choice of party field blank, the voter will remain registered with their current party affiliation. If the voter is not currently registered to vote and leaves the choice of party field blank, the voter will be entered as an independent/no party affiliation voter, which is not a political party in South Dakota.

Do I need a printer?

Yes, the voter will need access to a printer as the application must be submitted to their county auditor either by in-person delivery or by mail.

Can I register to vote in person?

Voters may also register to vote in person at the following locations:

- County auditor's office;
- Driver's license station (when a voter is renewing or applying for a South Dakota driver's license, the voter may also register to vote on the driver's license application);
- City Finance Office;
- Public assistance agencies providing food stamps, TANF or WIC;
- Department of Human Services offices which provide assistance to the disabled; or
- Military recruitment offices.

5. IDENTIFICATION: What ID is required to register to vote?

Voters in South Dakota will generally not be required to show valid photo ID to **register** to vote. However, voters must include their valid South Dakota driver’s license number or South Dakota nondriver identification number on their voter registration form. If a voter does not have a valid South Dakota driver’s license or South Dakota nondriver identification number, they must provide the last four digits of their social security number on their voter registration form. Further, if a voter has none of these, then the voter may only register to vote at the County Auditor’s Office and must sign a statement verifying that the voter does not have any of the above listed IDs.⁵

6. DEADLINES: When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?

For all methods of registration (whether by mail or in-person), voter registration applications must be **received** by the voter’s County Auditor 15 days before the election in which they intend to vote.⁶ A voter registration form is available online:

⁵ S.D. Codified Laws § 12-4-5.4.

⁶ <https://sdsos.gov/elections-voting/voting/register-to-vote/default.aspx>.

<https://sdsos.gov/elections-voting/assets/VoterRegistrationFormFillable.pdf>. However, while the voter registration application form may be accessed on-line, South Dakota law does not permit the actual voter registration to be completed on-line (except for overseas and uniformed voters for whom the procedures are described in [Question 11](#) below).

7. **SAME DAY:** [Does my state have Same Day Registration? If so, what is the process?](#)

No, South Dakota does not have Same Day Registration.⁷ The deadline to register to vote is 15 days before an election⁸.

8. **PERMANENT MOVE:** [I have moved permanently and I didn't update my voter registration, can I vote?](#)

Any person whose name appears on the inactive voter registration list at a precinct may vote in any election following completion of an affirmation of the person's address in South Dakota. If the voter has moved to a new address within South Dakota, the affirmation serves as a new registration.⁹

If the voter has had an address change, the voter must re-register to vote by completing a new voter registration form. The voter is instructed to fill out the "Previous Voter Registration Information Required" section with the voter's old address.¹⁰

The answer to this question depends on whether the voter moved within the same county/election jurisdiction or moved to a new county.

Moved within precinct within the same county¹¹	Moved to a different election jurisdiction (typically county)	Moved from a different state
The new address need not match the voter's registration address as long as the precinct and county are the same.	A person who has moved to a new county must re-register with their new address before the registration deadline in order to vote.	If a voter moves to South Dakota after the voter registration deadline, they will not be permitted to vote.

9. **TEMPORARY MOVE:** [I have moved temporarily. How can I vote?](#)

Any registered voter may request an absentee ballot. See details on how to absentee vote in the section below headed "HOW TO VOTE: ABSENTEE AND/OR HOW TO VOTE: VOTE BY MAIL."

10. **STUDENT:** [I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?](#)

Yes. College students have two choices¹² on where they register to vote:

⁷ [Potential Ballot Questions: South Dakota Secretary of State \(sdsos.gov\)](#)

⁸ <https://sdsos.gov/elections-voting/voting/register-to-vote/default.aspx>.

⁹ S.D. Codified Laws § 12-18-7.4.

¹⁰ [Voting: South Dakota Secretary of State \(sdsos.gov\)](#)

¹¹ Per email from Cely Johnson, Elections Program Coordinator, Office of SoS

¹² <https://sdsos.gov/elections-voting/voting/college-students.aspx>.

1. Where the student currently lives, whether that is an on-campus or off-campus address.
2. Remain registered and vote at the student's prior home address, in South Dakota or their home state.
The student may vote absentee from the address at which they are registered.

Students may choose to register to vote at their campus address in South Dakota if they plan to return there after temporary absences, like summer break, but do not need to intend to reside at that address permanently.¹³

Residence in South Dakota:

- (i) a person who has left home and gone into another state, territory or county of South Dakota for a temporary purpose only has not changed their residence,
- (ii) a person is considered to have gained a residence in any county or municipality of South Dakota in which the person actually lives, if the person has no present intention of leaving, and
- (iii) if a person moves to another state or territory, with the intention of making it their permanent home, the person thereby loses residence in South Dakota.¹⁴

Also, any registered voter may request an absentee ballot. See details on how to absentee vote in the section below headed "HOW TO VOTE: ABSENTEE AND/OR HOW TO VOTE: VOTE BY MAIL."

11. LIVING ABROAD: I am living abroad and/or serving in the military. How can I register and/or vote?

The Uniformed and Overseas Voters Act (UOCAVA) system allows military and overseas voters to submit their absentee ballot application electronically (i.e., by fax or e-mail). Also, for Federal elections, a UOCAVA voter may receive their absentee ballot electronically.

If the voter possesses a current, valid South Dakota driver's license, the voter may use the Uniformed and Overseas Citizens Electronic Voter Registration Portal to request an absentee ballot, available at <https://elvr.sdsos.gov/>.

If the voter does not possess a current, valid South Dakota driver's license the voter may submit an absentee ballot application as follows:

- (i) complete, print and sign the Absentee Ballot Application (available at https://sdsos.gov/elections-voting/assets/AbsenteeApplication_202012.PDF);
- (ii) sign the application (note: the requirement for a photo ID and/or notarization requirement is waived for stateside and overseas military and U.S. citizens residing outside of the United States); and
- (iii) send the application to the person in charge of the election (note: UOCAVA may submit their absentee ballot applications by mail or fax, or a signed and scanned image of the application may be submitted via e-mail to the appropriate county auditor (a/k/a "County Election Official"). Note that if the voter chooses to have their ballot mailed to them, they should complete the ballot and mail it back to their county auditor. Alternatively, if the voter chooses to have their ballot sent to them electronically, they will receive an e-mail with login information and a link to the Military and Overseas Citizens (UOCAVA) Web Portal. Print the ballot, complete it, sign the envelope and mail it back to the voter's county auditor. Marked, official ballots may NOT be submitted through any electronic means (i.e., fax, email, etc.).

¹³ S.D. Codified Laws § 12-1-4 and <https://sdsos.gov/elections-voting/voting/college-students.aspx>.

¹⁴ S.D. Codified Laws § 12-1-4.

Note that the voter must be a registered voter to request an absentee ballot for South Dakota absentee voting, however the voter may submit a voter registration form and an absentee ballot application together. If the voter is registering to vote or updating their voter registration, the voter must mail the original form to the county auditor's office.

Note also that if an UOCAVA voter has submitted an absentee ballot application but has not received the absentee ballot, a Federal Write-In Absentee Ballot (FWAB) may be submitted. The FWAB may be accessed at the Federal Voting Assistance Program's website (available here <https://www.fvap.gov/eo/overview/materials/forms>). The instructions on the site will take the voter through the process step by step. **NOTE: The FWAB may only be used to vote in Federal races.**

Finally, Service members, their eligible family members and overseas citizens can use the FPCA to both register to vote and request their absentee ballots. FVAP.gov offers an FPCA online assistant that guides users through the form-completion process, as well as, a fillable PDF form of the FPCA for download (available here <https://www.fvap.gov/fpca-privacy-notice>). **NOTE: The process will require a printer.**¹⁵

12. **CRIMINAL CONVICTION:** [I have a criminal conviction. Can I register to vote?](#)

Maybe. The specific answer depends on several criteria.

A person convicted of a felony **in either federal or state court** loses the right to vote while they are serving their sentence.¹⁶ A person so disqualified becomes eligible to register to vote upon completion of their entire sentence, including completion of probation, parole, restitution; including all fines and fees. Upon the person's discharge, the person will be issued a certificate from the secretary of corrections stating that the person has been restored to the full rights of a citizen.¹⁷ The person will then be eligible to register to vote. (All applicable registration deadlines still apply.)

A person who receives a suspended imposition of sentence does not lose the right to vote.¹⁸

13. **INCARCERATED:** [I am currently incarcerated. Can I register to vote?](#)

Maybe. Individuals who are currently incarcerated pursuant to a felony conviction (federal or state) cannot vote while serving their sentence.¹⁹ Individuals who are incarcerated pursuant to a misdemeanor are permitted to vote if they are otherwise eligible. See Question 1 for Eligibility requirements.

HOW TO VOTE: ELECTION DAY

14. **HOURS:** [When do the polls open/close on Election Day?](#)

¹⁵ <https://sdsos.gov/elections-voting/voting/military-members.aspx> and <https://sdsos.gov/elections-voting/voting/overseas-citizen-voter.aspx>

¹⁶ S.D. Codified Laws § 12-4-18.

¹⁷ S.D. Codified Laws §§ 24-5-2, 24-15A-7

¹⁸ <https://sdsos.gov/elections-voting/voting/register-to-vote/felony-convictions.aspx>.

¹⁹ <https://sdsos.gov/elections-voting/voting/register-to-vote/felony-convictions.aspx>.

The polls must be open from 7:00 a.m. to 7:00 p.m. local time on Election Day.²⁰

If you are a hotline volunteer or a field volunteer and a polling place is not open at 7:00 a.m., advise voters to stay at the polling location and immediately contact your hotline captain/command center.

Most important, a voter in line at the polling place by 7:00 p.m. must be allowed to vote.²¹

If you are a hotline volunteer or a field volunteer and a polling place prohibits those who were in line before 7:00 p.m. from voting, advise voters to stay at the polling location and immediately contact your hotline captain/command center.

Time from work allowed to employees to vote

Voters in all elections, including primary elections, may take time off from employment for two consecutive hours between the time of opening and the time of closing the polls; provided that the voter does not have a period of two consecutive hours during the time the polls are open during which he is not required to be at work. Voter's employer may not impose a penalty or deduct wages. The employer may specify the hours during which employees may take time away from work.²²

15. POLLING LOCATION: Where do I vote on Election Day?

A voter can determine their proper polling place by checking the "Voter Information Portal" website (<https://vip.sdsos.gov/viplogin.aspx>).

If a voter has moved recently and has not updated their voter registration, refer to Questions #8 and #9 above.

16. CLOSING: What if the polls close when I am already in line? ?

If a voter is in line at the polling place by 7:00 p.m., they must be allowed to vote.²³ Because there may, indeed, be long lines at the polling place, voters may want to bring some food and drink.

If you are a hotline volunteer or a field volunteer notify your hotline captain/command center immediately if you see or learn of (i) long line and/or (ii) a polling place is prohibiting those who were in line before 7:00 p.m. from voting. Advise voters to stay at the polling location and contact your hotline captain/command center.

17. IDENTIFICATION: What identification is required to vote?

Voters should note that in South Dakota they **will** generally be required to show valid photo ID in order to vote.²⁴

Valid forms of identification include:

- A South Dakota driver's license or a non-driver ID card;

²⁰ S.D. Codified Laws § 12-2-3.

²¹ S.D. Codified Laws § 12-2-3.

²² S.D. Codified Laws § 12-3-5

²³ S.D. Codified Laws § 12-2-3.

²⁴ S.D. Codified Laws § 12-18-6.1.

- A passport or an identification card, including a picture, issued by an agency of the United States government;
- A tribal identification card, including a picture; or
- A current student identification card, including a picture, issued by a high school or an accredited institution of higher education, including a university, college, or technical school, located within the State of South Dakota.²⁵

However, if a voter is not able to show photo ID, they may sign an affidavit confirming their name and address and may vote a regular ballot (not a provisional ballot).²⁶

Also, if poll workers cannot determine from the personal identification presented that the voter is the person listed on the voter registration list, the poll worker may consider other forms of identification, personal knowledge and an explanation from the voter to match that person's name to a name on the registration list. If the voter's identity cannot be proven to the satisfaction of the poll worker, or if the person making an application for ballots is challenged on the basis of identity by a poll worker or a poll watcher, the person may vote a provisional ballot.²⁷

18. NO IDENTIFICATION: Can I vote without providing identification?

Yes. If a voter is not able to show photo ID, they may sign an affidavit confirming their name and address and may vote a regular ballot (not a provisional ballot).

19. NOT ON ROLLS AT MY POLLING PLACE: I am at my polling place but am not showing up on the voter registration roll. Can I vote where I am?

Maybe. If the voter's name does not appear on the registration list for the precinct of the polling place, but the voter presents an acknowledgment notice, a member of the precinct election board will contact the office of the county auditor to determine why the voter's name is not on the rolls. A voter receives an acknowledgment notice from the State Board of Elections through the mail when an applicant's registration is accepted.²⁸ If the county auditor determines that the voter's name was erroneously omitted from the list, the voter may vote after completing an emergency voter card.²⁹

If the voter's name is listed on the rolls at a different precinct, the voter has the option of either casting a provisional ballot at the present polling station or going to the precinct associated with their registration to cast a regular ballot.³⁰

Most important, if it is not possible to communicate with the office of the county auditor, the voter may vote after executing an emergency voting card.³¹

20. PROVISIONAL BALLOT: If I don't have an ID, can I request a provisional ballot? My name is not on the rolls at my polling place, can I request a provisional ballot?

²⁵ S.D. Codified Laws § 12-18-6.1

²⁶ S.D. Codified Laws § 12-18-6.2; voters who sign an affidavit in lieu of showing identification may vote a *regular* ballot <https://sdsos.gov/elections-voting/voting/default.aspx>.

²⁷ S.D. Codified Laws § 12-18-6.3.

²⁸ S.D. Codified Laws § 12-4-5.3

²⁹ S.D. Codified Laws §§ 12-18-7.1, 12-18-7.2.

³⁰ <https://sdsos.gov/elections-voting/assets/PollingPlaceKey.pdf>.

³¹ S.D. Codified Laws § 12-18-7.1.

If a voter is not able to show photo ID, they may sign an affidavit confirming their name and address and may vote a **regular ballot** (not a provisional ballot).³²

Also, if poll workers cannot determine from the personal identification presented that the voter is the person listed on the voter registration list, the poll worker may consider other forms of identification, personal knowledge and an explanation from the voter to match that person's name to a name on the registration list. If the voter's identity cannot be proven to the satisfaction of the poll worker, or if the person making an application for ballots is challenged on the basis of identity by a poll worker or a poll watcher, the person may vote a provisional ballot.³³

If the voter's name does not appear on the registration list for the precinct of the polling place, but the voter presents an acknowledgment notice, a member of the precinct election board will contact the office of the county auditor to determine why the voter's name is not on the rolls. A voter receives an acknowledgment notice from the State Board of Elections through the mail when an applicant's registration is accepted.³⁴ If the county auditor determines that the voter's name was erroneously omitted from the list, the voter may vote after completing an emergency voter card.³⁵

If the voter's name is listed on the rolls at a different precinct, the voter has the option of either casting a provisional ballot at the present polling station or going to the precinct associated with their registration to cast a regular ballot.³⁶

Most important, if it is not possible to communicate with the office of the county auditor, the voter may vote after executing an emergency voting card.³⁷

HOW TO VOTE: EARLY VOTING

(in some states called "in-person absentee")

21. AVAILABILITY: Is there early voting in my state (whether called early voting or in person absentee voting)?

Yes. While South Dakota does not have formal early voting at polling places, registered voters can vote by absentee ballot in-person at their County Auditor's office once Absentee Voting begins by bringing along a valid photo identification card (ID). If the voter applies to vote absentee in person, the voter will complete a combined absentee ballot application/return envelope and show the person in charge of the election the voter's identification card.³⁸ If a voter does not have a photo ID, they must be given the option to sign a

³² S.D. Codified Laws § 12-18-6.2; voters who sign an affidavit in lieu of showing identification may vote a *regular* ballot <https://sdsos.gov/elections-voting/voting/default.aspx>.

³³ S.D. Codified Laws § 12-18-6.3.

³⁴ S.D. Codified Laws § 12-4-5.3

³⁵ S.D. Codified Laws §§ 12-18-7.1, 12-18-7.2.

³⁶ <https://sdsos.gov/elections-voting/assets/PollingPlaceKey.pdf>.

³⁷ S.D. Codified Laws § 12-18-7.1.

³⁸ S.D. Codified Laws § 12-19-2.1.

personal identification affidavit and vote a regular ballot. Absentee Voting opens 46 days prior to the election.

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22. **ELIGIBILITY:** Do I have to have a reason to vote early?

No. A voter does not need a reason to vote early by Absentee Voting.⁴⁰

23. **WHEN:** When does early voting begin/end?

Because South Dakota does not have formal early voting, the polls are open only on Election Day. However, the Absentee Voting period begins 46 days prior to the election.⁴¹ Registered voters can vote in-person once Absentee Voting begins at their County Auditor's office by bringing along a valid photo identification card (ID).⁴² Contact information to learn office hours for the County Auditor's Offices here: [County Auditors](#)

24. **WHERE:** Where do I vote during early voting?

Registered voters can vote in-person once Absentee Voting begins at their County Auditor's office by bringing along a valid photo identification card (ID).⁴³ If the voter applies to vote absentee in person, the voter will complete a combined absentee ballot application/return envelope and show the person in charge of the election the voter's identification card.⁴⁴ If a voter does not have a photo ID, they must be given the option to sign a personal identification affidavit and vote a regular ballot.⁴⁵ Contact information to learn office hours for the County Auditor's Offices here: [County Auditors](#)

25. **IDENTIFICATION:** What identification is required for early voting? What if I don't have an ID?

"Early voting" in South Dakota is voting in person by absentee ballot, called "Absentee Voting." If the voter applies to vote absentee in person, the voter will complete a combined absentee ballot application/return envelope and show the person in charge of the election the voter's identification card.⁴⁶ If a voter does not have a photo ID, they must be given the option to sign a personal identification affidavit and vote a **regular ballot**.

State law generally requires completed absentee ballot applications to be notarized or include a photocopy of an acceptable photo identification card (except for overseas and uniformed voters for whom the procedures are detailed in [Question 11](#)).⁴⁷ Accordingly, if a voter's absentee ballot application is not notarized, the following are valid forms of photocopied identification to include with an absentee ballot application:

- A South Dakota driver's license or a non-driver ID card;
- A passport or an identification card, including a picture, issued by an agency of the United States government;
- A tribal identification card, including a picture; or

³⁹ <https://sdsos.gov/elections-voting/upcoming-elections/general-information/default.aspx>; S.D. Codified Laws § 12-19-1.2.

⁴⁰ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>.

⁴¹ S.D. Codified Laws § 12-19-1.2.

⁴² <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>.

⁴³ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>.

⁴⁴ S.D. Codified Laws § 12-19-2.1.

⁴⁵ <https://sdsos.gov/elections-voting/voting/default.aspx>

⁴⁶ S.D. Codified Laws § 12-19-2.1.

⁴⁷ S.D. Codified Laws § 12-19-2

- A current student identification card, including a picture, issued by a high school or an accredited institution of higher education, including a university, college, or technical school, located within the State of South Dakota.⁴⁸

Voters lacking access to a copy machine or notary public may take a photo of their ID using their phone or camera and email it to their county auditor. Voters should contact their county auditor for more information regarding this option. County auditor contact information at: [County Auditors](#) .

HOW TO VOTE: VOTE BY MAIL

26. **AUTOMATIC MAIL BALLOT:** Will I automatically be sent a ballot in the mail?

No. To vote by mail, a voter must request an absentee ballot. Voters must request absentee ballots in South Dakota by completing an absentee ballot application form (https://sdsos.gov/elections-voting/assets/AbsenteeApplication_202012.PDF) and mailing the original, signed application to the voter's County Election Official. For information regarding the County Election Official for mailing Absentee Ballot Applications, please use the following link: <https://vip.sdsos.gov/CountyAuditors.aspx>.⁴⁹

27. **ELIGIBILITY:** Do I need a specific reason to vote by mail?

No. A voter does not need a reason to vote early by Absentee Voting.⁵⁰ **See Question 43 for additional detail.**

28. **APPLICATION DEADLINE:** What is the deadline for requesting a mail-in ballot?

A mail-in ballot is voting absentee. The County Election Official must receive the application for an absentee ballot no later than 5:00 p.m. the day before the election. **See Question 44.**

29. **APPLICATION RETURN:** How do I submit my mail-in ballot application? Can someone return it for me? Does it have to be postmarked by a specific date?

A voter's absentee ballot application must be returned to their county auditor (a/k/a County Election Official) either by **in person delivery or by mail**.

Solely in the event of confinement because of sickness or disability, a qualified voter may apply **in writing** on their Absentee Ballot Application and obtain an absentee ballot by authorized messenger who will also deliver the marked ballot on behalf of the voter. The authorized messenger is designated by the voter in the application. The authorized messenger delivers the ballot from the County Election Official to the voter and then delivers the marked ballot to the County Election Official. Any application for a ballot by authorized

⁴⁸ S.D. Codified Laws § 12-18-6.1

⁴⁹ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>.

⁵⁰ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>.

messenger must be received by the person in charge of the election before 3:00 p.m. the day of the election.⁵¹

30. IDENTIFICATION: Are there identification requirements when I return my absentee ballot application and/or ballot?

If a voter is mailing or using delivery for their absentee ballot, then they will not need to provide identification with their ballot. **See question 45.**

31. RECEIVING MAIL BALLOT: Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don't have a home address or my address is a PO Box?

No, the absentee ballot may be sent to a temporary residence address designated in writing by the voter in the application for the absentee ballot.⁵²

32. MISSED THE APPLICATION DEADLINE: What if I have not requested a mail-in ballot by the deadline?

The voter will not be permitted to vote absentee. Also, even if a voter timely requested their absentee ballot but the voter has not properly completed and returned the absentee ballot either in-person at their county auditor's office or by mail by the deadline, their vote will not be counted.⁵³ However, if the voter is a registered voter, they still may vote in-person at the polls on election day if they have not already submitted their absentee ballot.⁵⁴

33. STATUS OF APPLICATION AND/OR BALLOT: How can I check the status of my application and/or mail-in ballot?

Voters may check the status of their absentee ballots at <https://vip.sdsos.gov/viplogin.aspx>.

34. APPLICATION OR BALLOT REJECTED: I learned my mail-in ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?

A voter should call their county auditor's office if their absentee ballot application and/or ballot was rejected. For a list of county auditor's contact information, use the following link: <https://vip.sdsos.gov/CountyAuditors.aspx>.

35. COMPLETING BALLOT: How do I complete the mail-in ballot?

When a voter's absentee ballot arrives, they should read it carefully and follow the instructions to complete it and return it. In general, once a voter receives their absentee ballot, the voter should complete their absentee ballot as follows:

⁵¹ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>.

⁵² S.D. Codified Laws § 12-19-2

⁵³ S.D. Codified Laws § 12-19-48.

⁵⁴ <https://sdsos.gov/elections-voting/assets/PollingPlaceKey.pdf>.

- Mark the ballot;
- Fold the ballot without revealing the marks to another person;
- Place the voted ballots in the return envelope provided;
- Seal the return envelope;
- Sign the statement on the return envelope; and
- Either mail, deliver in person, or have the ballot delivered to the person in charge of the election.⁵⁵

If a voter plans to vote an absentee ballot in person, the voter must bring along a valid photo identification card (ID) to provide when voting. If a voter does not have a photo ID, they must be given the option to sign a personal identification affidavit and vote a regular ballot.⁵⁶

If a voter is mailing or using delivery for their absentee ballot, then they will not need to provide identification with their ballot.⁵⁷

IMPORTANT: Voters submitting an absentee ballot **application form** must have the form notarized or include a photocopy of an acceptable photo identification card.⁵⁸ Acceptable photo identification cards include a South Dakota driver's license or non-driver ID card, tribal photo ID, passport or other picture ID issued by the United States government, or a current student photo ID issued by a South Dakota high school or postsecondary education institution.⁵⁹ Voters lacking access to a copy machine or notary public may take a photo of the ID using a phone or camera and email the photo to their county auditor. Voters should contact their county auditor for more information regarding this option. For a list of county auditor's contact information: [County Auditors](#)

36. **ASSISTANCE COMPLETING BALLOT:** [Can someone assist me in filling out my ballot?](#)

Yes. Any voter who by reason of physical disability or illiteracy is unable to read or mark a ballot may receive the assistance of any person that such voter selects.⁶⁰

37. **DEADLINE TO RETURN BALLOT:** [What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop it off in person?](#)

Whether a voter's absentee ballot is returned in person or by mail, the ballot **MUST** be received by the County Election Official on Election Day with enough time for delivery of the ballot to the voting precinct before the polls close at 7:00 p.m. on Election Day.⁶¹ Late ballots will not be counted.⁶² If the voter applies to vote absentee in person, the voter will complete a combined absentee ballot application/return envelope and show the person in charge of the election the voter's identification card.⁶³ If a voter does not have a photo ID, they must be given the option to sign a personal identification affidavit and vote a **regular ballot**. For a list of county auditor's contact information, go to [County Auditors](#)

⁵⁵ S.D. Codified Laws § 12-19-7.

⁵⁶ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>

⁵⁷ S.D. Codified Laws § 12-19-7

⁵⁸ S.D. Codified Laws § 12-19-2

⁵⁹ S.D. Codified Laws § 12-18-6.1

⁶⁰ S.D. Codified Laws § 12-18-25.

⁶¹ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>; S.D. Codified Laws §§ 12-19-48, 12-19-12.

⁶² *Id.*

⁶³ S.D. Codified Laws § 12-19-2.1.

IMPORTANT: A postmark before the deadline is not sufficient to ensure that an absentee ballot is counted. Only actual timely receipt of the ballot by the County Election Official is sufficient. Accordingly, voters who mail-in their absentee ballot should mail the ballot as soon as possible to avoid missing the deadline.

38. BALLOT DROP OF LOCATIONS: What are the locations for dropping off a ballot (instead of mailing it)?

A voter may return their absentee ballot in person at their County Auditor's office. If the voter applies to vote absentee in person, the voter will complete a combined absentee ballot application/return envelope and show the person in charge of the election the voter's identification card.⁶⁴ A voter should contact their county auditor for office hours. For a list of county auditor's contact information, go to [County Auditors](#)

39. ASSISTANCE DROPPING OFF BALLOT: Can someone else drop off my completed ballot for me?

Maybe. Solely in the event of confinement because of sickness or disability, a qualified voter may apply **in writing** on their Absentee Ballot Application to obtain an absentee ballot by authorized messenger who will also deliver the marked ballot on behalf of the voter. The authorized messenger is designated by the voter in the application. The authorized messenger delivers the ballot from the County Election Official to the voter and then delivers the marked ballot to the County Election Official. Any application for a ballot by authorized messenger must be received by the person in charge of the election before 3:00 p.m. the day of the election.⁶⁵

40. LOST OR SPOILED BALLOT: What if I lost my mail-in ballot, made a mistake on it (spoiled it), or I received an incorrect ballot?

If a voter lost their absentee ballot or it is spoiled (including by the voter's mistake) or the voter has received an incorrect ballot, the voter should call their county auditor's office. For a list of county auditor's contact information: [County Auditors](#) If a voter has not yet cast an absentee ballot, the voter may alternatively vote in person at the polls. Under South Dakota law, if any voter spoils a ballot, the voter may obtain another ballot by returning the spoiled ballot to a member of the precinct election board. However, a voter may not obtain more than three ballots in all. In order to obtain a new ballot to replace a spoiled one, the voter must give their name and the number of the spoiled ballot. The number will be noted opposite of the voter's name as spoiled. The ballots that are returned will be canceled by writing the words, spoiled and replaced, across the face of the ballot. Further, each spoiled ballot will be placed in a separate envelope identifying it as a spoiled ballot and stating the number of spoiled ballots for accounting purposes.⁶⁶

41. NON-RECEIPT OF BALLOT: What if I requested a mail-in ballot but have not received it? What are my options for voting?

A voter should call their county auditor's office if they requested an absentee ballot but have not received the ballot with sufficient time to return the ballot prior to the polls closing on election day. Voters may track their absentee ballot using the following link, <https://vip.sdsos.gov/viplogin.aspx>. Voters may apply in person to the person in charge of the election for an absentee ballot during regular office hours up to 5:00 p.m. on the day prior to the election. For a list of county auditor's contact information, go to [County Auditors](#)

⁶⁴ S.D. Codified Laws § 12-19-2.1.

⁶⁵ *Id.*; see also <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>.

⁶⁶ S.D. Codified Laws § 12-18-24.

42. IN PERSON OPTION: What if I requested or received a mail-in ballot but I want to vote in person on Election Day?

If a voter wants to vote in person at the polls on Election day and the voter has not yet cast their absentee ballot, the voter can vote by regular ballot at the polls. The voter is not required to bring the absentee ballot to the polls on Election Day.⁶⁷ However, if the voter has cast their absentee ballot, they may not vote an additional regular ballot. If the voter believes that the precinct supervisor/deputy is incorrect regarding the return of their absentee ballot and they did not cast the absentee ballot, the voter may vote by provisional ballot.⁶⁸

HOW TO VOTE: ABSENTEE

43. ELIGIBILITY: Am I eligible to request an absentee ballot?

Any registered voter who is not otherwise disqualified by law from voting in the election may vote by absentee ballot in South Dakota. **A voter is not required to provide a reason** for their decision to vote absentee.⁶⁹ The voter may vote absentee starting 46 days prior to the election.⁷⁰

44. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?

The County Election Official must receive the application for an absentee ballot no later than 5:00 p.m. the day before the election.

Note, however, if a voter waits until the last minute to submit their absentee ballot application form, the practical effect will be that the voter will have to vote in-person absentee if at all. If the voter wants the option to vote their absentee ballot by mail, the voter should request an absentee ballot as soon as possible and promptly return the ballot to the county auditor allowing sufficient time for delivery. A voter's voted ballot **MUST** be received by their County Election Official on Election Day in enough time for delivery of their ballot to their voting precinct before the polls close on Election Day.⁷¹

45. IDENTIFICATION: Are there any identification requirements?

The voter must submit valid identification with the request for an absentee ballot. If the voter applies to vote absentee in person, the voter will complete a combined absentee ballot application/return envelope and show the person in charge of the election the voter's identification card.⁷² If a voter does not have a photo ID, they must be given the option to sign a personal identification affidavit. **See Question 25.**

⁶⁷ <https://sdsos.gov/elections-voting/assets/PollingPlaceKey.pdf>.

⁶⁸ <https://sdsos.gov/elections-voting/assets/PollingPlaceKey.pdf>.

⁶⁹ S.D. Codified Laws § 12-19-1.

⁷⁰ S.D. Codified Laws § 12-19-1.2.

⁷¹ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>.

⁷² S.D. Codified Laws § 12-19-2.1.

If a voter is mailing or using delivery for their absentee ballot, then they will not need to provide identification with their ballot.

46. EMERGENCY: *Is there an emergency absentee ballot? If so, am I eligible?*

South Dakota does not have an emergency absentee ballot. A voter does not need a reason to vote early by absentee voting.⁷³ The County Election Official must receive the application for an absentee ballot no later than 5:00 p.m. the day before the election.

47. APPLICATION RETURN: *Where and how can I return my absentee ballot application? Can someone return it for me?*

A voter's absentee ballot application must be returned to their county auditor (a/k/a County Election Official) either by in person delivery or by mail.

Registered voters can vote in-person once Absentee Voting begins at their County Auditor's office by bringing along a valid photo identification card (ID). If the voter applies to vote absentee in person, the voter will complete a combined absentee ballot application/return envelope and show the person in charge of the election the voter's identification card.⁷⁴ If a voter does not have a photo ID, they must be given the option to sign a personal identification affidavit and vote a regular ballot.

Solely in the event of confinement because of sickness or disability, a qualified voter may apply in writing on their Absentee Ballot Application and obtain an absentee ballot by authorized messenger who will also deliver the marked ballot on behalf of the voter. The authorized messenger is designated by the voter in the application. The authorized messenger delivers the ballot from the County Election Official to the voter and then delivers the marked ballot to the County Election Official. Any application for a ballot by authorized messenger must be received by the person in charge of the election before 3:00 p.m. the day of the election.⁷⁵

48. STATUS OF APPLICATION AND/OR BALLOT: *How can I check the status of my absentee ballot application and/or absentee ballot return?*

Voters may check the status of their absentee ballots at <https://vip.sdsos.gov/viplogin.aspx>.

49. APPLICATION OR BALLOT REJECTED: *I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?*

A voter should call their county auditor's office if their absentee ballot application and/or ballot was rejected. For a list of county auditor's contact information, use the following link: <https://vip.sdsos.gov/CountyAuditors.aspx>.

50. COMPLETING BALLOT: *How do I complete the absentee ballot?*

⁷³ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>.

⁷⁴ S.D. Codified Laws § 12-19-2.1.

⁷⁵ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>; S.D. Codified Laws § 12-19-2; and S.D. Codified Laws § 12-19-2.1.

When a voter's ballot arrives, they should read it carefully and follow the instructions to complete it and return it. In general, once a voter receives their absentee ballot, the voter should complete their absentee ballot as follows:

- Mark the ballot;
- Fold the ballot without revealing the marks to another person;
- Place the voted ballots in the return envelope provided;
- Seal the return envelope;
- Sign the statement on the return envelope; and
- Either mail, deliver in person, or have the ballot delivered to the person in charge of the election.⁷⁶

If a voter plans to vote an absentee ballot in person, the voter must bring along a valid photo identification card (ID) to provide when voting. If a voter does not have a photo ID, they must be given the option to sign a personal identification affidavit and vote a regular ballot.⁷⁷

If a voter is mailing or using delivery for their absentee ballot, then they will not need to provide identification with their ballot.⁷⁸

IMPORTANT: Voters submitting an absentee ballot **application form** must have the form notarized or include a photocopy of an acceptable photo identification card.⁷⁹ Acceptable photo identification cards include a South Dakota driver's license or non-driver ID card, tribal photo ID, passport or other picture ID issued by the United States government, or a current student photo ID issued by a South Dakota high school or postsecondary education institution.⁸⁰ Voters lacking access to a copy machine or notary public may take a photo of the ID using a phone or camera and email the photo to their county auditor. Voters should contact their county auditor for more information regarding this option. For a list of county auditor's contact information: [County Auditors](#)

51. ASSISTANCE COMPLETING BALLOT: Can someone assist me filling out the ballot?

Yes. Any voter who by reason of physical disability or illiteracy is unable to read or mark a ballot may receive the assistance of any person that such voter selects.⁸¹ Precincts with large Native American populations **must** have someone available who is proficient in both the local Sioux dialect and English to provide assistance.⁸²

52. BALLOT DEADLINES: What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?

Whether a voter's absentee ballot is returned in person or by mail, the ballot **MUST** be received by the County Election Official on Election Day with enough time for delivery of the ballot to the voting precinct before the polls close at 7:00 p.m. on Election Day.⁸³ Late ballots will not be counted.⁸⁴ If a voter applies in person to vote absentee, then the voter will complete the absentee ballot application form and the absentee

⁷⁶ S.D. Codified Laws § 12-19-7.

⁷⁷ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>

⁷⁸ S.D. Codified Laws § 12-19-7

⁷⁹ S.D. Codified Laws § 12-19-2

⁸⁰ S.D. Codified Laws § 12-18-6.1

⁸¹ S.D. Codified Laws § 12-18-25.

⁸² S.D. Codified Laws § 12-3-10.

⁸³ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>; S.D. Codified Laws §§ 12-19-48, 12-19-12.

⁸⁴ *Id.*

ballot in person during the absentee voting period. Since the deadline for applying to vote by absentee ballot is 5:00 p.m. the day before the election, if the voter intends to vote absentee in person, they must do so before 5:00 p.m. the day before the election. For a list of county auditor's contact information, go to [County Auditors](#).

IMPORTANT: A postmark before the deadline is not sufficient to ensure that an absentee ballot is counted. Only actual timely receipt of the ballot by the County Election Official is sufficient. Accordingly, voters who mail-in their absentee ballot should mail the ballot as soon as possible to avoid missing the deadline.

53. BALLOT DROP OF LOCATIONS: Where can I drop off a ballot (instead of mailing it)?

Anyone registered to vote in South Dakota can vote absentee in-person at their County Auditor's office. If a voter chooses to vote absentee in-person, then they may return their absentee ballot during regular office hours up to 5:00 p.m. the day before the election.⁸⁵ A voter should contact their county auditor for office hours. For a list of county auditor's contact information, go to [County Auditors](#)

54. ASSISTANCE DROPPING OFF: Can someone else drop off my completed ballot for me?

Solely in the event of confinement because of sickness or disability, a qualified voter may apply in writing on their Absentee Ballot Application and obtain an absentee ballot by authorized messenger who will also deliver the marked ballot on behalf of the voter. The authorized messenger is designated by the voter in the application. An authorized messenger delivers the ballot from the County Election Official to the voter and then delivers the marked ballot to the County Election Official. Any application for a ballot by authorized messenger must be received by the person in charge of the election before 3:00 p.m. the day of the election.⁸⁶

55. LOST OR SPOILED: What if I lost my absentee ballot or it is spoiled or I received an incorrect one?

If a voter lost their absentee ballot or it is spoiled (including by the voter's mistake) or the voter has received an incorrect ballot, the voter should call their county auditor's office. For a list of county auditor's contact information: [County Auditors](#) If a voter has not yet cast an absentee ballot, the voter may alternatively vote in person at the polls. Under South Dakota law, if any voter spoils a ballot, the voter may obtain another ballot by returning the spoiled ballot to a member of the precinct election board. However, a voter may not obtain more than three ballots in all. In order to obtain a new ballot to replace a spoiled one, the voter must give their name and the number of the spoiled ballot. The number will be noted opposite of the voter's name as spoiled. The ballots that are returned will be canceled by writing the words, spoiled and replaced, across the face of the ballot. Further, each spoiled ballot will be placed in a separate envelope identifying it as a spoiled ballot and stating the number of spoiled ballots for accounting purposes.⁸⁷

56. NON-RECEIPT OF BALLOT: What if I requested an absentee ballot but have not received it? Can I do anything?

A voter should call their county auditor's office if they requested an absentee ballot but have not received the ballot with sufficient time to return the ballot prior to the polls closing on election day. Voters may track their absentee ballot using the following link, <https://vip.sdsos.gov/viplogin.aspx>. Voters may apply in person to the

⁸⁵ S.D. Codified Laws § 12-19-2.1

⁸⁶ <https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>.

⁸⁷ S.D. Codified Laws § 12-18-24.

person in charge of the election for an absentee ballot during regular office hours up to 5:00 p.m. on the day prior to the election. For a list of county auditor's contact information, go to [County Auditors](#)

57. IN PERSON OPTION: What if I requested an absentee ballot but I want to vote in person on Election Day?

If a voter wants to vote in person at the polls on Election day and the voter has not yet cast their absentee ballot, the voter can vote by regular ballot at the polls. The voter is not required to bring the absentee ballot to the polls on Election Day.⁸⁸ However, if the voter has cast their absentee ballot, they may not vote an additional regular ballot. If the voter believes that the precinct supervisor/deputy is incorrect regarding the return of their absentee ballot and they did not cast the absentee ballot, the voter may vote by provisional ballot.⁸⁹

58. IN PERSON ABSENTEE: Where do I vote in-person absentee? When can I do this?

Anyone registered to vote in South Dakota can vote absentee in-person at their County Auditor's office. If a voter applies to vote absentee in-person, then they may return their absentee ballot during regular office hours up to 5:00 p.m. the day before the election.⁹⁰ Since the deadline for applying to vote by absentee ballot is 5:00 p.m. the day before the election, if the voter intends to vote absentee in person, they must do so before 5:00 p.m. the day before the election. A voter should contact their county auditor for office hours. For a list of county auditor's contact information, go to [County Auditors](#)

POLLING PLACE ISSUES

59. POLLING PLACE NOT OPEN: The polling place is not open. What should I do?

If you are a hotline volunteer or a field volunteer and a polling place is not open at 7:00 a.m., advise voters to stay at the polling location and contact your hotline captain/command center. Voters should check that the polling location is correct by checking the "Voter Information Portal" (<https://vip.sdsos.gov/viplogin.aspx>). ***If you are a hotline volunteer or a field volunteer and a polling place closes before 7:00 p.m. or is not letting voters who were in line at 7:00 p.m. vote, advise voters to stay in line and contact your hotline captain/command center.***

****Note to hotline volunteer: If you learn of a polling place not opening on time or is closed, notify your hotline captain immediately.***

60. LONG LINES: There are long lines at the polling place. What should I do? What if the polls are closing while I'm in line?

⁸⁸ <https://sdsos.gov/elections-voting/assets/PollingPlaceKey.pdf>.

⁸⁹ <https://sdsos.gov/elections-voting/assets/PollingPlaceKey.pdf>.

⁹⁰ S.D. Codified Laws § 12-19-2.1

Stay in line. If a voter is in line at the polling place by 7:00 p.m., they must be allowed to vote.⁹¹ Because there may, indeed, be long lines at the polling place, voters may want to bring some food and drink. Under ordinary circumstances, more than thirty minutes waiting time is deemed unreasonable waiting time except at the time when the polls close. In all precincts the board of county commissioners shall adjust the size of any precinct at which there was unreasonable waiting time imposed upon the voters at the last preceding general election.⁹²

If you are a hotline volunteer or a field volunteer notify your hotline captain/command center immediately if you see or learn of (i) long line and/or (ii) a polling place is prohibiting those who were in line before 7:00 p.m. from voting. Advise voters to stay at the polling location and contact your hotline captain/command center.

61. **EQUIPMENT FAILURE:** What should I do if there are equipment problems at my precinct?

A voter should immediately notify the election officers if the voting equipment breaks down. If the problem cannot be fixed in a timely manner, the voter should ask if an emergency paper ballot is available. If voting equipment is not functional, or emergency paper ballots are not available, hotline volunteers should contact their hotline captain or command center. They will then contact local elections officials to attempt to resolve the issue.

If you are a hotline volunteer or a field volunteer notify your hotline captain/command center immediately if you learn of equipment not working properly at a polling place.

62. **EQUIPMENT ASSISTANCE:** I don't know how to use the voting equipment. Can I get help?

Yes. Any voter may request instructions on the proper procedure for marking a ballot before entering the voting booth. No instructions may be given to the voter while they are in the voting booth. However, any voter using an electronic ballot marking system may request instructions on the proper operation of the system at any time. All instructions shall be given in such a manner that other persons in the polling place may observe them.⁹³

63. **PHYSICAL DISABILITY:** I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?

Yes. Voters who have a physical disability may receive the assistance of any person who they select, including asking for assistance at the polling place.⁹⁴ Voters can contact their local County Election Official before Election Day if special arrangements are needed. Federal law requires all polling places to be accessible. If a voter feels a polling place is inaccessible, the County Auditor should be contacted.

Note that the Help America Vote Act (HAVA) requires that each polling place for any Federal election provide a voting device equipped to allow voters with disabilities the means to vote independently and privately. South Dakota has chosen the ExpressVote by Election Systems and Software.⁹⁵

⁹¹ S.D. Codified Laws § 12-2-3.

⁹² S.D. Codified Laws § 12-14-4

⁹³ S.D. Codified Laws § 12-17B-7.

⁹⁴ S.D. Codified Laws § 12-18-25.

⁹⁵ <https://sdsos.gov/elections-voting/voting/polling-place-accessibility.aspx>

64. **READING/LANGUAGE ASSISTANCE:** I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

Yes. Any voter who by reason of physical disability or illiteracy is unable to read or mark a ballot may receive the assistance of any person that such voter selects.⁹⁶ Precincts with large Native American populations **must** have someone available who is proficient in both the local Sioux dialect and English to provide assistance.⁹⁷

65. **CAMPAIGNING:** What rules apply to people campaigning or “hanging around” my polling place? Can people approach me?

Electioneering activities such as the use of a public address system, the display of campaign materials or any other means of soliciting votes within 100 feet of the entrance leading into a polling place are prohibited and can be punished as a criminal misdemeanor.⁹⁸ However, each party may have a set number of poll watchers positioned in a location where they can plainly see and hear what is done within the polling place.⁹⁹

66. **CHALLENGE:** Someone is formally challenging my vote. What should I do?

A member of the precinct election board or a poll watcher may challenge a person’s vote only as to (i) the person’s identity as the person whom they claim to be, or (ii) on the grounds that the person has been convicted of a felony or declared mentally incompetent within the 15 days preceding the election.¹⁰⁰ If this challenge is upheld by the precinct superintendent and precinct deputies, then the voter may still cast a provisional ballot. A member of the precinct election board must notify any person who is denied the ability to vote that the person may cast a provisional ballot.¹⁰¹

67. **POLICE/MILITARY PRESENCE:** There are police/members of the military at the polling place. Is this okay? What should I do?

If there are police / members of the military at the polling place, the voter should notify the election official immediately, and the voter should still cast their ballot. Election officials are well-trained and there to help.

Note to hotline volunteer: If you learn of police/members of the military at the polling place, notify your hotline captain immediately.

68. **THOUGHT WAS REGISTERED:** My name isn’t on the voter registration roll but I thought I was registered. What should I do?

There are a number of reasons as to why a voter’s name could have been removed from the registration rolls. The election auditor regularly removes the names of those declared mentally incompetent, deceased, or serving a sentence for a federal or state felony conviction from the registration rolls.¹⁰² A voter’s registration may also be removed if a voter has not voted, updated their address, or replied to a confirmation request in the previous four consecutive years **and** fails to reply to a verification request through the mail.¹⁰³ The poll

⁹⁶ S.D. Codified Laws § 12-18-25.

⁹⁷ S.D. Codified Laws § 12-3-10.

⁹⁸ S.D. Codified Laws § 12-18-3.

⁹⁹ S.D. Codified Laws § 12-18-9.

¹⁰⁰ S.D. Codified Laws § 12-18-10.

¹⁰¹ S.D. Codified Laws § 12-18-39.

¹⁰² S.D. Codified Laws § 12-4-18.

¹⁰³ S.D. Codified Laws § 12-4-19.

worker will consult their county auditor to check to see if the voter's name is in another precinct, or was erroneously removed.¹⁰⁴

Also, a voter's name may have been moved to the inactive registration list. In that case, however, the voter may vote on a regular ballot after completing an affirmation of the voter's address in South Dakota.¹⁰⁵

Furthermore, if the voter's name does not appear on the list of registered voters but the voter maintains that they are currently registered to vote in that precinct, the voter may cast a provisional ballot after completing an affirmation.¹⁰⁶

Note: The following steps can be taken to help determine why a voter's name may not be appearing on the list of registered voters:

- Check the voter's registration status using the registration lookup tool at the "Voter Information Portal" website (<https://vip.sdsos.gov/viplogin.aspx>) to make sure they are registered to vote and at the right place.
- Has the voter moved recently? Could they be registered at an old address? Check that address in the registration lookup tool at the "Voter Information Portal" website.
- Has the voter changed their name recently, or could they be registered under a different name? Check that name (and any variations of the voter's name, especially for hyphenated names, which sometimes trip up databases) in the registration lookup tool at the "Voter Information Portal" website.
- When/where did the voter register to vote? Was that before the deadline?

69. **PROVISIONAL BALLOT:** I have been offered a provisional ballot. What should I do?

A voter should inquire why they were offered a provisional ballot and request a regular ballot if the voter thinks this is incorrect. If a voter (a) believes they are currently registered to vote in that precinct, but their name does not appear on the list of voters, (b) are successfully challenged on the basis of either (i) identity, or (ii) that the person has been convicted of a felony or declared mentally incompetent in the 15 days prior to the election,¹⁰⁷ or (c) are otherwise denied the ability to vote, the voter may cast a provisional ballot.¹⁰⁸ A provisional ballot should be a last resort.

NOTE: An election worker must inform any person who is denied the ability to vote that the person may cast a provisional ballot.¹⁰⁹

¹⁰⁴ <https://sdsos.gov/elections-voting/assets/PollingPlaceKey.pdf>.

¹⁰⁵ S.D. Codified Laws § 12-18-7.4.

¹⁰⁶ S.D. Codified Laws § 12-18-39; <https://sdsos.gov/elections-voting/assets/PollingPlaceKey.pdf>.

¹⁰⁷ S.D. Codified Laws § 12-18-10.

¹⁰⁸ S.D. Codified Laws § 12-18-6.3; S.D. Codified Laws § 12-18-39.

¹⁰⁹ S.D. Codified Laws § 12-18-39. "Prior to the official canvass, the person in charge of the election shall determine if the person voting by provisional ballot was legally qualified to vote in the precinct in which the provisional ballot was cast. In making this determination, the person in charge of the election shall consider the information provided on the affirmation and diligently investigate the voter registration status of the person. If there is no evidence that a voter registration form had been completed by the person showing a residence address in that precinct and returned to an official voter registration site prior to the deadline to register to vote for the election, the provisional ballot is invalid." S.D. Codified Laws § 12-20-5.1.

ACCESSIBILITY/ASSISTANCE

70. **LANGUAGE ACCESS:** I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?

Yes. Any voter who by reason of physical disability or illiteracy is unable to read or mark a ballot may receive the assistance of any person that such voter selects.¹¹⁰

71. **CURBSIDE VOTING:** Is curbside voting available? How do I request it?

No, South Dakota law does not permit curbside voting.¹¹¹

72. **VOTER GUIDE:** Can I bring a voting guide or reference notes with me into the voting booth?

South Dakota law does not specifically prohibit voting guides or reference notes. Voters are only permitted 10 minutes to cast their ballots.¹¹²

QUESTIONS

73. **QUESTIONS:** Who should I contact if I have questions about any of the above?

If the voter has any additional questions, the voter should visit the website of the South Dakota Secretary of State at <https://sdsos.gov/elections-voting/voting/default.aspx>. Voters may also contact their county auditor. For a list of county auditor's contact information, go to [County Auditors](#).

¹¹⁰ S.D. Codified Laws § 12-18-25.

¹¹¹ <https://sdsos.gov/elections-voting/assets/2022PrecinctManual.pdf>

¹¹² S.D. Codified Laws § 12-18-15.