

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

129Y0287

HOUSE ENGROSSED NO. **HB 1136** - 2/7/2017

Introduced by: Representatives Johnson, Gosch, Jensen (Kevin), Johns, Lesmeister, McPherson, Rounds, Schaefer, Schoenfish, Willadsen, and Wismer and Senators Rusch, Ewing, Kolbeck, Solano, and Stalzer

1 FOR AN ACT ENTITLED, An Act to revise certain election recount provisions.

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

3 Section 1. That § 12-21-11 be amended to read:

4 12-21-11. If any legislative district comprises more than one county, any candidate for
5 election to or nomination for the Legislature who, according to the official returns, has been
6 defeated by a margin not exceeding two percent of the total vote cast for all candidates for such
7 office may, within three days after completion of the official canvass of the returns, file a
8 petition as set forth in § 12-21-10 with the county auditor of each county. Each county auditor
9 shall then conduct a recount.

10 Notwithstanding § 12-21-20, if the recount is for a legislative district comprising more than
11 one county and the candidate expresses to the county auditor in writing to be present at each
12 county's recount, the board shall convene at the time and date determined by mutual agreement
13 between the county auditor and candidate. All such recounts shall be completed within fourteen
14 days following the filing of the petition.

