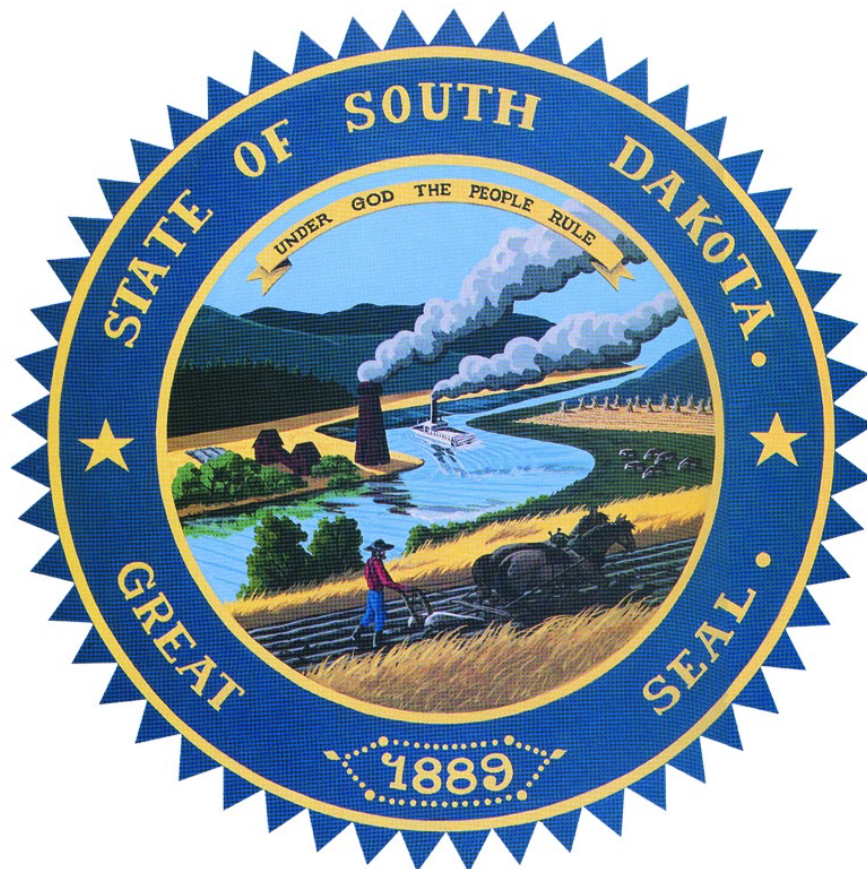


How to be a **COUNTY** Candidate

2024 Petition Requirements, Important
Dates & Campaign Finance



Monae L. Johnson

South Dakota Secretary of State

500 East Capitol Ave., Ste. 204

Pierre, SD 57501

605.773.3537

www.sdsos.gov

This is only a general guide and not all-inclusive of all election dates and deadlines governing county candidates.

Last updated November 8, 2023

COUNTY OFFICES TO BE FILLED IN 2024

- States Attorney
- County Commissioner
- County Coroner
- County Treasurer/County Finance Officer

**There may be other county offices with elections due to vacancies and appointments.*

QUALIFICATIONS AND TERM LIMITS

States Attorney – ([SDCL 7-16-1](#))

Must be licensed to practice law in South Dakota.

Term Limit: No Limit

County Commissioner – ([SDCL 7-8-1](#))

No Specified Qualifications

Term Limit: No Limit

County Treasurer / County Finance Officer (*If Applicable*) – ([SDCL 7-7-1.1](#))

No Specified Qualifications

Term Limit: No Limit

12-6-3. Candidacy for more than one office in same election prohibited--Exceptions. No person's name may appear on the primary election ballot as a candidate for nomination to more than one public office in the same election, except that a person may be the candidate for any public office and the office of President of the United States, vice president of the United States, director of a water development district, or director of a consumer power district. A candidate for any such office is not prohibited from seeking election to one or more party offices as may be provided in chapter 12-5. If a candidate secures a nomination at a state party convention, the candidate shall withdraw as a candidate from one of the offices and submit the withdrawal to the secretary of state on or before the date on which the secretary of state receives the state party certification.

12-16-10.1. Candidacy for more than one office prohibited--Exception. No person's name may appear on the general election ballot as a candidate for election to more than one public office except for the office of President of the United States or vice president of the United States.

FILING OFFICE

Each candidate needs to circulate a nominating petition and submit the required amount of signatures.

The **County Auditor's office** is the filing office for County Candidates ([SDCL 12-6-4](#) and [12-27-42](#)).

IMPORTANT DATES

This guide is meant to be a quick summary of election related deadlines. For a more comprehensive calendar refer to the 2024 South Dakota Primary and General Election Calendar found at <https://sdsos.gov/elections-voting/upcoming-elections/general-information/2024/2024-Election-Information.aspx>

Absentee voting begins – April 19, 2024
Voter Registration Deadline - May 20, 2024
PRIMARY ELECTION – JUNE 4, 2024

Absentee voting begins – September 20, 2024
Voter Registration Deadline - October 21, 2024
GENERAL ELECTION – NOVEMBER 5, 2024

Candidates cannot sign their declaration of candidacy or begin circulating a nominating petition until January 1, 2024.

January 1, 2024

- A **Statement of Organization** is due 15 days after becoming a candidate (**campaign finance applies to all county candidates in counties with a population greater than 10,000**). The candidate committees that have not already filed a statement of organization, must file not later than 15 days after the date upon which the committee made contributions, received contributions or paid expenses in excess of \$500 unless such activity falls within 30 days of any statewide election, in which case the statement of organization shall be filed within 48 hours. ([SDCL 12-27-3](#), [12-27-1\(4\)](#)).

January 26, 2024

- **2023 Year-End Campaign Finance Report deadline.** See page 6 for more detail.

PETITION FILING DEADLINES:

- **March 26, 2024** for Primary Election candidates.
 - **Deadline to withdraw is March 28, 2024** at 5:00 p.m. local time ([SDCL 12-6-8.1](#)). If the withdraw request is postmarked by **Registered Mail** prior to 5:00 p.m. on March 28, 2024 and received after the deadline, the withdraw request will be considered filed. Certified or any other type of mail service withdraw requests received after the deadline will NOT be considered filed on time.
- **April 30, 2024** for Independent candidates.
- Petitions postmarked by **Registered Mail** prior to 5:00 p.m. on the last day to file and received after the deadline will be considered filed in a timely fashion. Petitions sent by Certified or any other type of mail service and received after the deadline will NOT be considered filed.
- A petition form can be downloaded from the Secretary of State's website at <https://sdsos.gov/elections-voting/nominating-petitions/download-nominating-petition.aspx> or you may request a copy of a blank petition from the County Auditor.

****Candidate Financial Interest Statements (FIS)** must be filed within 15 days after filing nominating petitions. File these in the office where the candidate nominating petition was filed. <https://sdsos.gov/elections-voting/financial-interest-statements/default.aspx>

May 20, 2024

- **Pre-Primary Campaign Finance Report deadline.** See page 6 for more detail.

JUNE 4, 2024 – PRIMARY ELECTION DAY

August 6, 2024

- **Deadline to withdraw from the General Election** is by 5:00 p.m. local time ([SDCL 12-6-55](#)). The request shall be filed where you filed your nominating petitions. There is no registered mail option for this request. The auditor must have the request in hand by 5:00 p.m. local time for it to be considered timely filed.

October 21, 2024

- **Pre-General Campaign Finance Report deadline.** See page 6 for more detail.

NOVEMBER 5, 2024 – GENERAL ELECTION DAY

January 2025

- **Elected Official Oath of Office & Financial Interest Statement** must be filed in the office where the candidate nominating petition or convention nomination certification was filed within 15 days after taking your oath of office.

January 31, 2025

- **2024 Year-End Campaign Finance Report deadline.** See page 6 for more detail.

NUMBER OF SIGNERS REQUIRED FOR 2024 PETITIONS

12-6-7. Nominating petitions--Several sheets--Signature requirements. A nominating petition may be composed of several sheets, each sheet shall have identical headings printed at the top and shall be a self-contained sheet of paper. The petition for a candidate for the Legislature shall designate the senatorial or representative district number and house for which the person is a candidate.

The petition for party office or political public office for a state or federal candidate shall be signed by not less than one percent of the voters who voted for that party's gubernatorial candidate at the last gubernatorial election in the state. A petition for the Legislature, county party office, or county political public office shall be signed by not less than one percent of the voters who voted for that party's gubernatorial candidate at the last gubernatorial election, or fifty voters, in the county, part of the county, or district electing a candidate to fill the office, whichever is less.

If the party meets the requirement for alternative political status as defined in § 12-1-3.1, the petition for party office or political public office for a state or federal candidate shall be signed by not less than one percent of the voters who voted for that party's statewide candidate receiving the highest votes at the last gubernatorial election in the state. A petition for the Legislature, county party office, or county political public office shall be signed by not less than one percent of the voters who voted for that party's statewide candidate receiving the highest votes at the last gubernatorial election in the county, part of the county, or district electing a candidate to fill the office, whichever is less.

If a county uses vote centers and does not print ballots by precinct, signature requirements are:

- (1) For both partisan and independent candidates, fifty signatures for a legislative candidate whose district either in whole or in part includes that county;
- (2) For a county candidate:
 - (a) Partisan candidate petitions shall be signed by the lesser of fifty signatures or signatures from one percent of the voters who voted for that party's gubernatorial candidate, or the party's statewide candidate receiving the highest votes if the party meets the requirement for alternative party status as defined in § 12-1-3.1, at the last gubernatorial election in the county electing a candidate to fill the office; or
 - (b) Independent candidate petitions shall be signed by not less than one percent of the total combined vote for Governor at the last certified election within the county electing a candidate to fill the office;
- (3) Half the number of signatures required under subdivision (2), for county commissioner district candidates;
- (4) Five signatures for a new party legislative candidate whose district either in whole or in part includes that county;
- (5) Five signatures for a new party county candidate; or
- (6) Three signatures for a new party county commissioner district candidate.

****Candidates must obtain signatures from the political party they are registered to vote with; however, independent candidates may gather signatures from any registered voter.**

PLEASE NOTE that if your County Commissioners are elected at large vs. by commissioner district the signature counts may vary and if your county is a Vote Center county, that will have an impact on your signature count as well.

****Contact the County Auditor or County Finance Officer for additional information. On the Secretary of State's office website is a chart explaining signature requirements for County offices:**

<https://sdsos.gov/elections-voting/upcoming-elections/general-information/2024/Circulate-2024-nominating-petitions-candidates.aspx>

****A candidate may purchase a [voter registration list](#) from the county auditor or county finance officer.**

****The county auditor is required under law to charge for the voter list. ([ARSD 05:04:06:07](#))**

FINANCIAL INTEREST STATEMENTS

A county commissioner candidate must file a *Statement of Financial Interest – Candidate* with the County Auditor **within 15 days after filing** nominating petitions. ([SDCL 12-25-30](#))

A county commissioner candidate elected must file a *Statement of Financial Interest – Elected Official* with the County Auditor **within 15 days of taking the oath of office**. Financial Interest Statements forms may be found on the Secretary of State's website at <https://sdsos.gov/elections-voting/financial-interest-statements/default.aspx>.

CAMPAIGN FINANCE

([SDCL 12-27-39](#))

Campaign Finance is required in **Counties with a population greater than 10,000** according to the most recent Federal census or in a county that has adopted ordinance(s) or resolution(s) outlining campaign finance requirements. Refer to the Secretary of State's website for Campaign Finance information for local jurisdictions.

If your county has a population over 10,000, then county candidates **are required** to submit campaign finance reports to the County Auditor or County Finance Officer by 5:00 p.m. local time.

Important Campaign Finance Deadline Dates for Counties:

- January 26, 2024: 2021 Year-End report is due
- May 20, 2024: Pre-Primary report is due
- October 21, 2024: Pre-General report is due
- January 31, 2025: 2025 Year-End report is due

Campaign Signs

Campaign signs are regulated by ordinance in some municipalities. The municipal ordinance will regulate political campaign signs within the city limits. The ordinance may specify any of the following:

- 1) When political campaign signs can be posted and when the signs must be taken down.
- 2) The size of the political campaign signs.
- 3) Where political campaign signs can or cannot be posted.

No campaigning can be done within 100 feet of a polling place (this includes the court house during absentee voting and absentee voting satellite locations).

12-18-3. Electioneering, offices, distracting communications devices, and signature gathering prohibited near polling place--Violation as misdemeanor. Except for sample ballots and materials and supplies necessary for the conduct of the election, **no person may, in any polling place or within or on any building in which a polling place is located or within one hundred feet from any entrance leading into a polling place,** maintain a campaign office or public address system, or use any communication or photographic device in a manner which repeatedly distracts, interrupts, or intimidates any voter or election worker, or display campaign posters, signs, or other campaign materials or by any like means solicit any votes for or against any person or political party or position on a question submitted or which may be submitted. No person may engage in any practice which interferes with the voter's free access to the polls or disrupts the administration of the polling place, or conduct any petition signature gathering, on the day of an election, within one hundred feet of a polling place. For the purposes of this section, the term, polling place, means a designated place voters may go to vote on the day of the election or go to vote absentee. A violation of this section is a Class 2 misdemeanor.

**The county may also have an ordinance that regulates political campaign signs outside of the city limits.

**The South Dakota Department of Transportation regulates the use of right-of-ways. The use of right-of-ways is reserved for highway signage. Any sign in the right-of-way that is not required for traffic control as authorized by law is prohibited and will be removed. This includes both candidate and ballot issue signs.

For more information regarding right-of-ways, please contact the Department of Transportation at 605-773-5103.