

Common questions

- **What if I'm not on the list?**
 - Ask the precinct worker to double check. If you are confident that you are at the correct polling place but are informed that you are not on the registration list, you may vote using a provisional ballot.
 - Provisional ballots are used to record a vote when there are questions about a given voter's eligibility.
 - When you cast a provisional ballot, you will be asked to sign an affirmation of eligibility before being allowed to cast your vote. You will be sent a notice within 10 days (longer if it falls within a weekend) indicating whether your ballot was counted or not. If it was not, you will be told why.
- **What if I go to the wrong polling place?**
 - Ask a precinct worker to help you find the polling place where you are registered so you can go to the right polling place. You can also call your county clerk or look up your polling place at sdsos.gov.
- **What if I make a mistake on the ballot?**
 - It happens. You can request a new ballot from the precinct worker.
- **How do I register by mail?**
 - You can also register to vote by mail using the South Dakota voter registration form.
 - Be sure to read the instructions carefully and fill it out completely.
 - Send the completed form to your local election official.
 - To register by mail and vote in the 2020 election, the form must be received by Oct. 19.

Please note. This brochure is a resource, not legal advice. It is provided for informational purposes only. South Dakota may revise its laws after this brochure is printed or published online.

If you believe your rights have been violated or for more information on your rights as a voter, contact us at aclusd.org or email southdakota@aclu.org.

Quick tips

- Check your voter registration at least 30 days before the election.
- Locate your polling place and note the hours of operation.
- Consider voting early or absentee if possible. If you plan to vote at the polls, go early in the day to avoid a last-minute rush.
- Read all instructions carefully.
- Ask for help if you need it.
- Take your time.

More information

- **South Dakota Secretary of State**
sdsos.gov/elections or 605-773-3537
- **Election Protection**
866-687-8683
- **U.S. Department of Justice Civil Rights Division, Voting Section**
800-253-3931

Get involved

- **Become a precinct worker:** Precinct workers are key players in running polling places on Election Day. This paid position is recruited by your County Auditor.
- Find out more by visiting sdsos.gov.

The American Civil Liberties Union is a nationwide non-profit, non-partisan organization with more than 2 million members, activists, and supporters dedicated to defending the principles of liberty and equality embodied in state and federal constitutions.

CONTACT US:

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SOUTH DAKOTA VOTERS

**KNOW YOUR
RIGHTS**

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SD

GENERAL VOTING INFORMATION

- **To register to vote in South Dakota, you must:**
 - Be a United States citizen. (South Dakota Constitution, Article VII, Section 2)
 - Reside in South Dakota.
 - Be at least 18 years old on or before the next election.
 - Not currently be serving a sentence for a felony conviction which includes imprisonment, served or suspended, in an adult penitentiary system.
 - Not be judged mentally incompetent by a court of law.
- **Voting while attending college:** Students can register using either your school address or your home address, whichever you consider your primary residence.
- **Voting with a criminal record:** You must re-register to vote after serving your sentence.
 - **You can vote if:**
 - You have been sentenced only to pay a fine, fee, or restitution.
 - You have been charged with a crime but not convicted.
 - You have received a suspended imposition of a sentence or have been sentenced to only pay a fine, fee, or restitution.
 - **You cannot vote if:**
 - You were convicted of a felony and are currently serving a sentence of imprisonment, including parole and probation.
 - Find more information at sdsos.gov.
- **Voting if you're experiencing homelessness:** You don't need a home to vote, but you do have to identify a place of residence (which can be any place where you usually stay). You must also provide a mailing address, such as a shelter or advocacy organization.
- **Voting and ADA requirements:** Call your county auditor right away and ask for accommodation or reassignment to an accessible polling place. All polling places are required to be compliant with the Americans with Disabilities Act.
 - If you feel you cannot vote on the day of election, fill out an absentee ballot application and mail it to your county election official as soon as possible.
 - If you need help at the voting booth because of a physical disability or because you have difficulty reading or writing in English, tell a poll worker when you get to the polling place. If you need instructions on how to use the voting equipment, ask a poll worker for help. They are required to help you anytime, even if you ask after entering the voting booth.

- **Moving and changing addresses:**
 - If you moved before Oct. 19, 2020 and didn't update your voter registration to reflect your new address before that date, you will be unable to vote in the Nov. 3, 2020 election unless you moved within the same county or voting precinct.

Registering to vote

- You must be registered to vote 15 days prior to an election. The 2020 deadline is Oct. 19.
- If you miss the Oct. 19 deadline, you will be unable to vote in this year's election. However, you can register for future elections.
- Confirm or update your voter registration by visiting sdsos.gov.
- **Where to register:**
 - County Auditor's office
 - Driver's license offices
 - Municipal finance office
 - Public assistance agencies providing Medicaid, food stamps, TANF, or WIC
 - Department of Human Services offices that serve the disabled
 - Military recruitment offices
 - Secretary of State's Office

Early voting

- **Voting before Election Day:** Any registered voter can vote before Election Day by casting an absentee ballot. Absentee voting begins Sept. 18, 2020.
- **Finding absentee ballots:** You may request an absentee ballot from your county election official who will send a paper ballot to you. Complete the ballot as soon as possible, and return it no later than 5 p.m. the day before the election.
- **To ensure your vote is counted:**
 - Place your ballot in the return envelope and seal it securely.
 - Complete the statement on the back of the return envelope and SIGN IT.
 - Mail the ballot (voter must pay for postage to mail the ballot unless the voter is covered under the UOCAVA act), deliver it in person, or have someone deliver it for you to the person in charge of the election.

- Do not return your absentee ballot to your polling place.
- The ballot must be received by the person in charge of the election in time to transmit it to your precinct polling place before the polls close on Election Day.
- Additional information on absentee voting is available at sdsos.gov.

Voting on Election Day

- **Election Day 2020:** Nov. 3, 2020, with polls opening at 7 a.m. and closing at 7 p.m.
- **If you are running late:** You have the right to vote if you're in line or inside your polling place when the polls close.
- **Getting time off:** If your work schedule would make it practically impossible for you to vote in-person while the polls are open, your employer is required to give you time off to vote without penalty or deduction in your wages. You should ask your employer for time off before Election Day. Your employer has the right to specify which hours you get to take.
- **Polling location:** On Election Day you must vote at your assigned polling place. Find your polling place at sdsos.gov.

Voter I.D. laws

- **Identification:** All voters who appear at polling places must show proof of identification.
- **Acceptable forms of I.D. include:**
 - South Dakota driver's license or photo I.D.
 - U.S. Armed Forces I.D.
 - U.S. government photo I.D.
 - Current student photo I.D.
 - Tribal photo I.D.
 - Voting without identification: If you are voting without I.D., you can sign a personal identification affidavit and you will be allowed to vote using a regular ballot.

VOTE LIKE YOUR RIGHTS DEPEND ON IT.