**5:02:08:00.01.  Requirements for counting signatures on petitions.** Requirements for counting signatures on a petition sheet are as follows:

 (1)  No signature on a petition sheet may be counted if one of the following conditions is present:

 (a)  The form of the petition does not meet the requirements of this chapter;

 (b)  The petition sheet is not a self-contained sheet of paper printed front and back;

 (c)  The circulator's verification is not completed or is improperly completed, according to subdivision 5:02:08:00(3) unless the missing information is completed elsewhere on the petition sheet. A completed circulator's verification must include the printed name of the circulator, the circulator's residence address as provided in subdivision (2)(c) of this section, and the complete date;

 (d)  The declaration of candidacy has not been completed on or after the first date authorized by law to circulate the petition, and signed by the candidate and the signature witnessed by an official empowered to administer oaths in this state; or

 (e)  The circulator's verification was signed by more than one circulator;

 (f)  A petition for a legislative candidate must include the district number and whether the candidate is running for senate or house; and

 (2)  An individual signature on a petition sheet may not be counted if one of the following conditions is present:

 (a)  It was signed prior to the signing of the candidate's declaration of candidacy or, if for a ballot question, it was signed before a copy of the text was filed with the secretary of state;

 (b)  It was signed after the circulator completed the verification;

 (c)  The residence address does not include a street and house number or a rural route and box number and the town. If the signer is a resident of a second or third class municipality, a post office box number may be used. If the signer does not have a residence address or post office box number, a description of the residence location must be provided. If the signer is a resident of a building with a publicly known name, the building name may be used;

 (d)  The date of signing, including month and day, is not indicated;

 (e)  The signer's name is not printed and legible; or

 (f)  The signer's county of voter registration is not provided.

 **Source:** 10 SDR 27, effective September 26, 1983; 12 SDR 43, effective September 23, 1985; 14 SDR 19, effective August 9, 1987; 16 SDR 20, effective August 10, 1989; 19 SDR 12, effective August 5, 1992; 21 SDR 77, effective October 24, 1994; 26 SDR 168, effective June 25, 2000; 33 SDR 230, effective July 1, 2007; 35 SDR 48, effective September 8, 2008; 44 SDR 94, effective December 4, 2017; 46 SDR 42, effective September 30, 2019.

 **General Authority:** SDCL 12-1-9(6).

 **Law Implemented:** SDCL 9-13-11, 12-1-1, 12-1-1.1, 12-1-2, 12-6-7.1, 12-6-8, 13-7-6.