

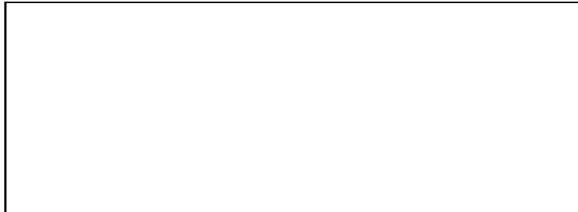
CHAPTER 5:04:03
NOTARIES PUBLIC

Section

- 5:04:03:01 Notary public application, and oath, ~~and bond form~~.
- 5:04:03:02 Repealed.
- 5:04:03:03 Repealed.
- 5:04:03:04 Form for notary public request to change record.

5:04:03:01. Notary public application, and oath, ~~and bond form~~. The application ~~and bond form~~ for a notary public and an e-notary ~~is as follows~~ must contain:

~~(1) Front side:~~



Make Imprint of Seal Here (Imprint Required for Processing)

State of South Dakota
Notary Public Application, Oath, & Bond
Filing Fee: \$30.00 (Must be included to file)

Submit Application and Filing Fee to:
South Dakota Secretary of State
500 E Capitol Avenue, Pierre, SD 57501

Revised 20240701

To the Secretary of State of South Dakota: I hereby respectfully apply to be commissioned as a Notary Public for the State of South Dakota.				
Notary Applicant (Print EXACTLY as found on seal imprint)				
Residential Address (CANNOT be a business address or PO BOX)	City	State	Zip	County
Mailing Address (If different from residential address)	City	State	Zip	
Phone	Email (Optional)			
Required Questions				
Have you ever been a SD Notary?		If yes, when did/does your commission expire?		
☐ Yes ☐ No				
What name(s) was commission under?				
Date of Birth		Have you ever been convicted of a felony?		
		☐ Yes ☐ No		
Will you be providing e-notary services?				
☐ Yes ☐ No				
If yes, provide the tamper-evident notarization vendor(s). (If additional space is needed, please provide an additional sheet.)				
Complete the following if you reside in an out-of-state county bordering South Dakota				
Employer/Business Name				
South Dakota Business Address		City	State	Zip
Oath (MUST be completed and signed)				
State of South Dakota				
County of _____				
I, _____				
Notary Applicant (Print EXACTLY as found on seal imprint) being first duly sworn, depose and state that the answers to the questions on this application are true and complete to the best of my knowledge and that I am of legal age and meet the state residency requirements of SDCL 18-1-1. I do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of South Dakota and that I will faithfully and impartially perform the duties of a NOTARY PUBLIC within and for the State of South Dakota according to the law and to the best of my ability.				
Dated this _____ Day of _____, 20____		Applicant Signature (Sign name EXACTLY as found on your seal imprint)		
For Internal Use Only				
Approved by the South Dakota Attorney General		Receipt Number		File Date

~~—(2) Reverse side:~~

Personal Surety Form

Know all by these presents: That I, _____ (Notary applicant's name **EXACTLY** as it appears on your seal imprint), of the County of _____ and the State of South Dakota, as principal, and _____ (Personal Surety's name – must be an individual, not a business), County of _____, _____ (Address), State of South Dakota, as surety, are individually held firmly bound unto the State of South Dakota in the penal sum of five thousand dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors, administrators and successors. Further, each of us deposes and says individually that we are worth \$5000, the amount of the bond, over and above our debts and liabilities, in unencumbered property, exclusive of property exempt from execution and forced sale under the laws of this state.

The conditions of this obligation are such that, if the above principal, _____ (Notary applicant's name **EXACTLY** as it appears on your seal imprint), who has or will be appointed Notary Public in the State of South Dakota, shall faithfully execute the duties of the office according to law, then this obligation shall be null and void, otherwise to remain in full force and effect.

Dated this _____ day of _____, 20____

Applicant's Signature

(**Exactly** as it appears on your seal imprint)

Subscribe and sworn to before me this _____ day of _____, 20____

(SEAL)

Notary Public

My commission expires: _____

Dated this _____ day of _____, 20____

Personal Surety's Signature

Subscribe and sworn to before me this _____ day of _____, 20____

(SEAL)

Notary Public

My commission expires: _____

PLEASE NOTE:

- ✓ A personal surety is liable for the bond for the six-year commission of the notary.
- ✓ A personal surety cannot have the personal surety's name removed from the bond for any reason.
- ✓ A personal surety or the applicant cannot notarize the Personal Surety Form.

(1) A statement indicating the application fee of thirty dollars;

(2) Spaces where the applicant may provide the applicant's:

(a) Name;

(b) Street address;

____ (c) City;

____ (d) State;

____ (e) Zip code;

____ (f) County of residence; and

____ (g) Date of birth;

____ (3) A statement indicating that the applicant must apply in the same name as that which appears on the seal imprint;

____ (4) Whether the applicant has been convicted of a felony;

____ (5) The oath, as required by SDCL 3-1-5;

____ (6) Whether the applicant resides in an out-of-state county bordering South Dakota;

____ (7) If the applicant resides in a county described in subdivision (6), the applicant's place of work or business in South Dakota;

____ (8) Whether the applicant intends to provide e-notary services;

____ (9) If the applicant intends to provide e-notary services, an image of the applicant's electronic seal and the name of each vendor providing the applicant's method of tamper-evident notarization;

____ (10) An imprint of the applicant's official seal that shows:

____ (a) The applicant's name;

____ (b) The words, "South Dakota"; and

____ (c) The words, "notary public";

____ (11) A statement indicating that the applicant's official seal must have a border surrounding the imprint; and

____ (12) A statement indicating that a rubber stamp seal and an electronic seal must have the word "seal" within the border.

Source: 24 SDR 11, effective August 6, 1997; 28 SDR 54, effective October 22, 2001; 30 SDR 189, effective June 9, 2004; 35 SDR 165, effective December 22, 2008; 42 SDR 177, effective June 30, 2016; 44 SDR 106, effective December 6, 2017; 45 SDR 44, effective October 8, 2018; 51 SDR 17, effective August 18, 2024.

General Authority: SDCL 18-1-1, 18-1-11.7.

Law Implemented: SDCL 18-1-1, 18-1-2, 18-1-3, 18-1-3.1, 18-1-11.4.

5:04:03:04. Form for notary public request to change record. The form for ~~Notary Public~~ and ~~E-Notary Request to Change Record~~ notary public and e-notary request to change record is as follows must contain:

State of South Dakota
Notary Public Change Form
 Revised 20240701

Submit Change Form to:
 South Dakota Secretary of State
 500 E Capitol Avenue, Pierre, SD 57501

When updating your information, please provide a Rider document from your insurance company indicating the change made to their records.				
Notary Name (Print EXACTLY as found on seal imprint)				
Additional name(s) commissioned under				
Commission Date				
County		Date of Birth		
Email (Optional)		Phone Number		
Change Seal (Mark all boxes that apply)				
☐ I would like to use the <u>new</u> notary seal imprint shown. I intend to use <u>both</u> the new seal and my current notary seal. When I renew my commission, I am aware I will need to place an imprint of <u>both</u> notary seals on the application.		Make imprint of new seal here:		
☐ I would like to <u>discontinue</u> the use of my current notary seal on file and use the imprint of the new notary seal show.				
Change Name				
☐ I would like to <u>change my name</u> on my notary public commission and will use the imprint of the new notary seal above.				
Date of Name Change		New Name (as it appears on new notary seal)		
Changed By: _____ Court Order _____ Marriage _____				
Change Address				
☐ I would like to <u>change my physical address</u> on file to the address below				
Physical Address	City	State	Zip	County
☐ I would like to <u>change my mailing address</u> on file to the address below (only if different than physical address)				
Mailing Address	City	State	Zip	County
E-Notary Services				
☐ I would like to ADD E-NOTARY SERVICES to my notary public commission				
Provide the tamper-evident notarization vendor(s). (If additional space is needed, please provide an additional sheet.)				
For internal office use only				
File Date	Commission Date		Notary ID	

(1) Space where the applicant may provide the applicant's:

_____ (a) Name;

_____ (b) Additional names commissioned under;

_____ (c) Commission date;

_____ (d) County of residence; and

_____ (e) Date of birth;

_____ (2) A space for an imprint of the applicant's new official seal that shows:

_____ (a) The applicant's name;

_____ (b) The words, "South Dakota"; and

_____ (c) The words, "notary public";

_____ (3) A statement indicating that the applicant's official seal must have a border surrounding the
imprint; and

_____ (4) A statement indicating that a rubber stamp seal and an electronic seal must have the word
"seal" within the border.

Source: 35 SDR 165, effective December 22, 2008; 42 SDR 177, effective June 30, 2016; 44 SDR 106, effective December 6, 2017; 51 SDR 17, effective August 18, 2024.

General Authority: SDCL 18-1-1, 18-1-11.7.

Law Implemented: SDCL 18-1-1, 18-1-3, 18-1-3.1, 18-1-11.4.

CHAPTER 5:04:06

STATEWIDE VOTER REGISTRATION FILE

Section

- 5:04:06:01 Repealed.
- 5:04:06:02 Repealed.
- 5:04:06:03 Repealed.
- 5:04:06:04 Duplicate voter registration check.
- 5:04:06:05 Potential duplicate voter registration check.
- 5:04:06:06 Voter registration list request form.
- 5:04:06:07 Charges for electronic copy of information from the statewide voter registration file.
- 5:04:06:07.01 Charges for paper copy of information from the statewide voter registration file.
- 5:04:06:08 Absentee voter registration list request form.
- 5:04:06:09 Charges for information regarding absentee voting from the statewide voter registration file.
- 5:04:06:10 Voter registration file security.

5:04:06:07. Charges for electronic copy of information from the statewide voter registration file. The fees for an electronic file with voter registration information are as follows:

(1) Statewide ~~is \$2,500, two hundred twenty-five dollars;~~

(2) Statewide for voters registered with a new ~~parties party~~ or ~~parties a party~~ with alternative political status ~~for just their party voters is:~~

(a) ~~\$15~~ Ten dollars for ~~1,000 one thousand~~ names or less;

(b) ~~\$50~~ Twenty dollars for ~~1,001 to 10,000 between one thousand one and ten thousand~~ names;

(c) ~~\$100~~ Forty dollars for ~~10,001 to 25,000 between ten thousand one and twenty-five thousand~~ names; and

(d) ~~\$250~~ Fifty-five dollars for more than ~~25,000 twenty-five thousand~~ names;

(3) Legislative district ~~is \$100, twenty-five dollars; and~~

(4) County or any other district ~~is \$15 for 1,000 names or less;:~~

~~_____ (a) Ten dollars for one thousand names or less;~~

~~_____ (b) Twenty dollars for between one thousand one and ten thousand names;~~

~~_____ (c) Forty dollars for between ten thousand one and twenty-five thousand names; and~~

~~_____ (d) Fifty dollars for more than twenty-five thousand names.~~

~~—(5) County or any other district is \$50 for 1,001 to 10,000 names;~~

~~—(6) County or any other district is \$100 for 10,001 to 25,000 names; and~~

~~—(7) County or any other district is \$250 for more than 25,000 names.~~

The fee for any updated partial file containing only changes made within a year after the purchase of a complete file is ~~\$250~~ fifty dollars for a statewide file and ~~\$25~~ ten dollars for a legislative district, any other district, or county file.

~~—The fees for a paper list with voter registration information are as follows:~~

~~—(1) Statewide is \$5,500;~~

~~—(2) Statewide for new parties or parties with alternative political status for just their party voters is:~~

~~—(a) \$20 for 1,000 names or less;~~

~~—(b) \$75 for 1,001 to 10,000 names;~~

~~—(c) \$200 for 10,001 to 25,000 names; and~~

~~—(d) \$600 for more than 25,000 names;~~

~~—(3) Legislative district is \$200;~~

~~—(4) County or any other district is \$20 for 1,000 names or less;~~

~~—(5) County or any other district is \$75 for 1,001 names to 10,000 names;~~

~~—(6) County or any other district is \$200 for 10,001 to 25,000 names; and~~

~~—(7) County or any other district is \$600 for more than 25,000 names.~~

~~—The fee for any updated partial list containing only changes made within a year after the purchase of a complete list is \$550 for a statewide list and \$60 for a legislative district, any other district, or county list.~~

Source: 28 SDR 54, effective October 22, 2001; 40 SDR 39, effective September 9, 2013; 45 SDR 44, effective October 8, 2018.

General Authority: SDCL 12-4-39~~(5)~~.

Law Implemented: SDCL 12-4-39(5).

5:04:06:07.01. Charges for paper copy of information from the statewide voter registration file. The fees for a paper list with voter registration information are as follows:

- (1) Statewide, one thousand dollars;
- (2) Statewide for voters registered with a new party or a party with alternative political status:
 - (a) Twenty dollars for one thousand names or less;
 - (b) Seventy-five dollars for between one thousand one and ten thousand names;
 - (c) Two hundred dollars for between ten thousand one and twenty-five thousand names; and
 - (d) Six hundred dollars for more than twenty-five thousand names;
- (3) Legislative district, one hundred dollars; and
- (4) County or any other district:
 - (a) Twenty dollars for one thousand names or less;
 - (b) Thirty dollars for one between one thousand one and ten thousand names;
 - (c) Forty dollars for between ten thousand one and twenty-five thousand names; and
 - (d) Fifty dollars for more than twenty-five thousand names.

The fee for any updated partial list containing only changes made within a year after the purchase of a complete list is one hundred dollars for a statewide list and seventy-five dollars for a legislative district, any other district, or county list.

Source:

General Authority: SDCL 12-4-39.

Law Implemented: SDCL 12-4-39(5).

5:04:06:09. Charges for information regarding absentee voting from the statewide voter registration file. The fees for a daily electronic file with absentee voter registration information per election are as follows:

- (1) Statewide ~~is \$3,000,~~ two hundred twenty-five dollars;
- (2) Legislative district ~~is \$150,~~ fifty dollars; and
- (3) County ~~is \$65 for 1,000 names or less;~~
 - (a) Ten dollars for one thousand names or less;
 - (b) Twenty-five dollars for between one thousand one and ten thousand names;
 - (c) Fifty dollars for between ten thousand one and twenty-five thousand names; and
 - (d) Seventy-five dollars for more than twenty-five thousand names.
- ~~—(4) County is \$100 for 1,001 names to 10,000 names;~~
- ~~—(5) County is \$150 for 10,001 to 25,000 names; and~~
- ~~—(6) County is \$300 for more than 25,000 names.~~

Source: 40 SDR 121, effective January 6, 2014; 42 SDR 177, effective June 30, 2016.

General Authority: SDCL 12-4-39~~(5)~~.

Law Implemented: SDCL 12-4-39(5).