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S.D. SEC. OF STATE

**OFFICE OF ATTORNEY GENERAL**

1302 East Highway 14, Suite 1  
Pierre, South Dakota 57501-8501  
Phone (605) 773-3215  
Fax (605) 773-4106  
TTY (605) 773-6585  
<http://atg.sd.gov/>

**MARTY J. JACKLEY**  
ATTORNEY GENERAL

**CHARLES D. McGUIGAN**  
CHIEF DEPUTY ATTORNEY GENERAL

HAND DELIVERED

May 11, 2016

Hon. Shantel Krebs  
Secretary of State  
500 E. Capitol  
Pierre, SD 57501

Re: **Attorney General's Explanation – An Act to revise State laws regarding elections and election petitions.**

Dear Secretary Krebs,

Pursuant to SDCL 12-13-9, enclosed is the Attorney General's Explanation for Referred Law 19 that will appear on the ballot for the November 2016 general election.

Very truly yours,

Marty J. Jackley  
ATTORNEY GENERAL

MJJ/PA/lde  
Enc.

Filed this 11<sup>th</sup> day of  
May 2016  
*Shantel Krebs*  
SECRETARY OF STATE

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ATTORNEY GENERAL  
2016 BALLOT EXPLANATION  
REFERRED LAW 19

Title: An Act to revise State laws regarding elections and election petitions

Explanation:

Currently, primary election candidates for certain offices must circulate and submit nominating petitions between January 1 and the last Tuesday in March. Referred Law 19 changes that timeframe to between December 1 and the first Tuesday in March. The referred law also changes other election-related submission deadlines, adjusting them from the last Tuesday in March to the first Tuesday in March.

Certain election-related documents, including nominating petitions, are currently considered timely submitted if sent by registered mail before the deadline. The referred law changes this to require that these documents be received by the submission deadline. It also changes the method for calculating the number of signatures required on nominating petitions for certain elective offices.

The referred law prohibits a person registered with a recognized political party from signing an independent candidate's nominating petition. The current law does not contain that prohibition.

Under the referred law, an independent governor candidate cannot appear on the ballot if the corresponding lieutenant governor candidate withdraws and a replacement is not certified by the second Tuesday in August. It also restricts the circumstances under which a political party may replace a candidate who has withdrawn from consideration after the primary election.

A vote "Yes" is for revising State laws regarding elections and election petitions.

A vote "No" is against the referred law.

Filed this 11<sup>th</sup> day of  
May 2016  
*Shantal Krebs*  
SECRETARY OF STATE