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MARTY J. JACKLEY
ATTORNEY GENERAL

RECEIVED

MAR 13 2023

SD Secretary of State

MARK W. BARNETT
CHIEF DEPUTY ATTORNEY GENERAL

March 13, 2023

Honorable Monae L. Johnson
Secretary of State
500 E. Capitol
Pierre, SD 57501

RE: Draft Attorney General's Statement (Amendment to the South Dakota Constitution Removing the Limitation That a Proposed Constitutional Amendment Embrace Only One Subject)

Dear Secretary Johnson,

Enclosed is a copy of a proposed constitutional amendment, in final form, that the sponsor submitted to this Office. In accordance with state law, I hereby file the enclosed *draft* Attorney General's Statement for the purposes of receiving public comment on the same.

By copy of this letter, I am providing a copy of the *draft* Statement to the sponsor.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Jackley".

Marty J. Jackley
ATTORNEY GENERAL

MJJ/dd
Enc.

Cc/encl: Quincy Hanzen
Reed Holwegner – Legislative Research Council

Filed this 13th day of

March 2023

A handwritten signature in black ink, appearing to read "Monae L. Johnson".

SECRETARY OF STATE

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BE IT ENACTED BY THE PEOPLE OF SOUTH DAKOTA:

SD Secretary of State

That Article XXIII, section 1 of the Constitution of the State of South Dakota, be amended to read: § 1. Amendments to this Constitution may be proposed by initiative or by a majority vote of all members of each house of the Legislature. An amendment proposed by initiative shall require a petition signed by qualified voters equal in number to at least ten percent of the total votes cast for Governor in the last gubernatorial election. The petition containing the text of the proposed amendment and the names and addresses of its sponsors shall be filed at least one year before the next general election at which the proposed amendment is submitted to the voters. A proposed amendment may amend one or more articles and related subject matter in other articles as necessary to accomplish the objectives of the amendment; ~~however, no proposed amendment may embrace more than one subject. If more than one amendment is submitted at the same election, each amendment shall be so prepared and distinguished that it can be voted upon separately.~~

Filed this 13th day of

March 2023

Monae L. Johnson

SECRETARY OF STATE

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MAR 13 2023

SD Secretary of State

CONSTITUTIONAL AMENDMENT

DRAFT ATTORNEY GENERAL'S STATEMENT

Title: An Amendment to the South Dakota Constitution Removing the Limitation That a Proposed Constitutional Amendment Embrace Only One Subject.

Explanation:

The South Dakota Constitution provides that a proposed constitutional amendment may not embrace more than one subject. In addition, the state Constitution requires that multiple amendments proposed at the same election must be individually presented and voted on separately.

This proposed amendment removes those provisions from the Constitution.

Filed this 13th day of
March 2023

Monae L. Johnson

SECRETARY OF STATE