

CIRCULATING A MUNICIPAL NOMINATING PETITION - 2010

1. The declaration of candidacy at the top of the petition form must be completed prior to circulation for signatures (SDCL 12-6-8). The declaration cannot be signed prior to the first date of circulation. The name will appear on the ballot in the exact form indicated in the declaration of candidacy (SDCL 12-16-1).
2. For an April 13 election, petitions may not be circulated before January 29. Petitions may be filed no later than February 26, 2010 at 5:00pm. For an election which is held on the first Tuesday after the first Monday in June, petitions may not be circulated or filed before March 1 and may be filed no later than March 30 at 5:00pm. If the election is combined with the school on June 15, 2010 petition circulation begins on April 6, 2010 and the filing deadline is May 7, 2010. Petitions which are mailed by REGISTERED MAIL prior to 5:00 p.m. on the last day to file will be considered timely filed. Certified mail received after the deadline will NOT be considered timely filed.
3. Signatures of registered voters must be obtained between the date of the candidate's signed declaration of candidacy and the date of the circulator's verification.
4. The petition circulator must be a resident of the state of South Dakota who is at least eighteen years of age. The circulator must personally witness each signature on the petition being circulated. The petition's verification must be completed following circulation and must include the circulator's municipality, complete printed address and signed under oath before a notary public or other officer authorized to administer oaths.
5. Each petition signer must be a registered voter in the municipality where the candidate is being nominated. If the candidate is running in a ward, signers must be registered voters in that ward (SDCL 9-13-9).
6. Signers must sign their names as they are registered to vote or as they usually sign their names.
7. The signer's printed name must appear below the signature.
8. Each signature line must show a complete residence address. This can be street and house number or rural route and box number in

addition to the city or town. Zip codes are not necessary but will not invalidate a signature.

If the signer is a resident of a second or third class municipality, a post office box number may be used in lieu of a street address. Second and third class municipalities are those with less than 5000 population. They would include all municipalities except the following which are first class municipalities:

Aberdeen, Brandon, Brookings, Huron, Madison, Mitchell, Pierre, Rapid City, Sioux Falls, Spearfish, Sturgis, Vermillion, Watertown and Yankton.

9. Each signature line must show the month and day it was signed.
10. Numbers to designate the month are permissible. Abbreviations commonly used are also acceptable.
11. The county of the signer's voter registration must be included.
12. The date, address, county of registration, and printed name may be added by the circulator prior to the petition being filed. Ditto marks may not be used.
13. A voter may sign as many petitions for a particular office as there are positions to be filled (SDCL 12-6-8). A petition signer in a municipality of the third class is not restricted in the number of petitions which the person may sign (9-13-9).
14. Petitions are filed with the municipal finance officer.

It is prudent to submit any petition to the filing authority with ample time prior to the deadline to allow you to collect additional signatures if there are not sufficient valid signatures presented on your initial petition.

For additional information or petition forms, contact your municipal finance officer, South Dakota Municipal League, 1-800-658-3633 or Secretary of State's office, 605-773-3537.

Prepared for the 2010 municipal elections.