

2025-2026 MUNICIPAL AND SCHOOL ELECTION WORKSHOP WEBINAR 2

Sponsored By: Secretary of State's Office South Dakota Municipal League Associated School Boards of South Dakota









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PETITIONS



PETITION FORMS

Petition forms are found in ARSD <u>5:02:08</u>.

- School Board Nominating Petition ARSD <u>5:02:08:11</u>
- Municipal Nominating Petition ARSD <u>5:02:08:13</u>

Petition forms consist of <u>a header</u>, <u>a declaration of</u> <u>candidacy</u>, <u>signature lines</u>, <u>and a circulator verification</u>.

- The declaration of candidacy must be notarized before a petition can be circulated.
 - The declaration may not be completed prior to the first day for petition circulation.
- The circulator verification must be notarized before a petition can be submitted.
 - The verification may not be completed prior to petition circulation—i.e., no signatures can be added once the verification is complete.
- Candidates are responsible for getting their forms notarized properly!





NOMINATING PI	ETITION FOR SCHOOL BOARD MEM SCHOOL DISTRICT #	IBER
INSTRUCTIONS TO CANDIDATE: The fully completed before the petition is circu	e heading of this petition and the declaration ulated for signatures.	n of candidacy must be
state of South Dakota, nominate	ers of school of, and of, and of, for a representation area, if applicable) on the day of, 20	_ whose mailing address i whose residence address is
		n the election ballot), unde _, South Dakota; that I an m a candidate. If
Sworn to before me this day of	(Signed) , 20	
(Seal)	Signature of	Officer Administering Oatl
My Commission Expires	Title of	Officer Administering Oatl
signer and the date of signing. If the signe may be used for the voter registration add 3. Before the petition is filed, each sig provided and add the county of voter regis	ner or the circulator must print the name of	nicipality, a post office box
5. Failure to provide all information re	equested may invalidate the signature.	
NAME	VOTER REGISTRATION ADDRESS STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE/COUNTY DATE OF SIGNING
1 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SKIN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
2 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
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NAME	VOTER REGISTRATION ADD	DRESS DATE/COUNTY
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18 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NU	MBER DATE OF SIGNING
19 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NU	MBER DATE OF SIGNING
20	CITY OR TOWN	COUNTY OF REGISTRATION
	OR: This section must be completed following	
Print Name of the Circulator	Residence Address	City State
I, under oath, state that I circulated presence, and that either the signer date of signing, and the county of	I the above petition, that each signer person or I added the printed name, the voter regi- voter registration.	ally signed this petition in my stration address of the signer, the
o . 1.0 . 1:	Signature of Ci	rculator
Sworn to before me this day o (Seal)	of, 20	
	Signature of Or	fficer Administering Oath
My Commission Expires December 1 2025 - Form Revised Per HB1256	Title of Office	r Administering Oath



NOMINATING PETITION FOR MUNICIPAL ELECTION INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be

fully completed before the petition is circulated for signatures.

WE, THE UNDERSIGNED qualified voters of the municipality of

Dakota, nominate	whose residence address is	
, South Dakota,	whose residence address isand whose mailing address isas a candidate for ayear term for t	
, South Dakota,	as a candidate for ayear term for t	he office of
at the M	funicipal Election to be held on the day o	f,
n	ECLARATION OF CANDIDATE	
I,	(print name here exactly as you wa	nt it on the election hallot)
under oath declare that I reside and an	n registered to vote in the municipality of	and that I
am eligible to seek the office for which	h I am a candidate. If nominated and elected, I	will qualify and serve in
	date, I declare that I reside and am registered to	
	,	
	(Signed)	
Sworn to before me this day of _		
/G D		
(Seal)		000 41 ::: : 0 :
My Commission Expires	Signature of	Officer Administering Oatl
My Commission Expires	Title of	Officer Administering Oatl
	Title of v	Officer Administering Oan
INSTRUCTIONS TO SIGNERS:		
	ividually sign their names in the form in which	they are registered to vote
or as they usually sign their names.	ividently sign their names in the form in which	me, me registeres to vote
	signer or the circulator must add the voter regi	stration address of the
	gner is a resident of a second or third class mu	
may be used for the voter registration		merpanty, a post emice con
	signer or the circulator must print the name of	the signer in the space
provided and add the county of voter r		g -
	may be used. Ditto marks may not be used.	
Failure to provide all informatio	n requested may invalidate the signature.	
NAME	VOTER REGISTRATION ADDRESS	DATE/COUNTY
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SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
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SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
NOV.		har or mount
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING

COUNTY OF REGISTRATION

NAME	VOTER REGISTRATION ADDRESS	DATE/COUNTY
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11 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
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17	CITY OR TOWN	COUNTY OF REGISTRATION
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18————————————————————————————————————	CITY OR TOWN	COUNTY OF REGISTRATION
SKIN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
19 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
20PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
VERIFICATION BY PERSON CIRCULATING PETITION INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing.		
Print Name of the Circulator	Residence Address	City State
I, under oath, state that I circulated the above n presence, that either the signer or I added the pr and the county of voter registration, that I attest qualified voter of the municipality of	inted name, the voter registration address of the	he signer, the date of signing
Sworn to before me this day of	Signature of Circulator	nistaring Oath
My Commission Expires	Signature of Officer Admir	instering Oath
December 1, 2025 - Form Revised Per HB1256	Title of Officer Administe	ring Oath



PETITION DEADLINES – JUNE ELECTION

Petition Circulation Begins – February 2nd

Petition Filing Deadline - March 24th

- You must accept petitions until 5:00 PM local time on the deadline day (SDCL <u>9-13-7</u>; <u>13-7-6</u>).
- You must also accept petitions submitted through registered mail, provided that they were postmarked prior to the deadline (SDCL 9-13-7; 13-7-6).
- Work with your attorney if you will be unavailable on the deadline day.

Validation & Candidate Order – Between March 24-26th

Certification Deadline (Combined Only) – March 26th

PETITION DEADLINES – NOV. ELECTION

Petition Circulation Begins – July 3rd

Petition Filing Deadline – August 25th

- You must accept petitions until 5:00 PM local time on the deadline day (SDCL <u>9-13-7</u>; <u>13-7-6</u>).
- You must also accept petitions submitted through registered mail, provided that they were postmarked prior to the deadline (SDCL <u>9-13-7</u>; <u>13-7-6</u>).
- Work with your attorney if you will be unavailable on the deadline day.

Validation & Candidate Order – Between August 25-27th

<u>Certification Deadline (Combined Only)</u> – August 27th

When petitions are received, they should be a top priority. Do not let petitions sit on your desk for days!



PETITION FILING PROCEDURES

When you receive a petition, you should immediately <u>date stamp</u> and <u>time stamp</u> the petition.

Following receipt, you will need to verify signatures pursuant to ARSD $\underline{5:02:08:00}$ and $\underline{5:02:08:00.01}$.

- You <u>must</u> check the voter registration information of the candidate, since the candidate must be registered within the relevant municipality (or ward) or school district (or representation area).
- You <u>must</u> check the voter registration information of signers for nominating petitions, since signers must be registered within the relevant municipality (or ward) or school district (or representation area).
- Use the Secretary of State's city and school lookup site to check voter registration records.
 - If you do not have the URL, login information, or employee information has changed, please contact the Secretary of State's office.
 - The city and school lookup site is not for personal use and should only be used for signature verification. Candidates, elected officials, and the public do not have the authority to access this information!

Let's take a look at the city and school lookup site!

When you have finished the validation process, <u>date stamp</u> and <u>time stamp</u> the petition if it has been approved and filed. Remember to contact the candidate via phone and/or mail and inform them of your decision.



PETITION FILING PROCEDURES (CONT'D)

Per SDCL <u>9-13-7</u> and <u>13-7-6</u>, you must have a written and signed verification.

- There is no form for the required verification in the Administrative Rules of South Dakota.
- Refer to the statute that applies to your jurisdiction for the information that the verification must contain.

Notary Guidelines:

- A candidate cannot notarize their own petition; however, a candidate may circulate and sign their own petition.
- A notary cannot notarize a petition and be a signer.
- Finance Officers, Business Managers, and School Board Presidents may notarize documents without being a notary (SDCL <u>13-8-15</u>; <u>18-3-1</u>).





PETITION FILING PROCEDURES (CONT'D)

If you reject a petition, <u>contact the candidate immediately</u>, inform them of your decision, and let them know if there is still time for them to collect additional signatures.

• You should not return the candidate's rejected petitions, but you may still provide the candidate with copies if they are requested.

Anyone may challenge a filed or rejected petition, not just the candidate. As a note, petitions do not become a public record until your validation process is complete (SDCL 12-1-39).

- The challenge process is established by SDCL <u>12-1-13</u> through <u>12-1-15</u>.
- For a validated and filed petition:
 - The challenger has five (5) business days to challenge the petition by filing an affidavit with an itemized list of specific deficiencies.
 - SDCL <u>12-1-13</u> lists items that <u>cannot</u> be challenged to your office.
 - Upon receipt of an affidavit, you and your attorney should review the information provided.
 - A challenge to your office does not prevent any other legal remedy (SDCL <u>12-1-16</u>).
- For a rejected petition:
 - The challenger must pursue a challenge through your local circuit court.



GUIDELINES FOR ACCEPTING PETITIONS

Petitions may only be accepted if they comply with the requirements established in ARSD $\underline{5:02:08:00}$.

Petitions must:

- 1. Be in proper form;
 - a. Note: Petitions have been modified to replace "Residence Address" with "Voter Registration Address" to comply with HB 1256. This change has not been made to the administrative rules.
- 2. Contain the minimum number of valid signatures, counted according to ARSD $\underline{5:02:08:00.01}$;
 - a. One or more invalid signatures on a petition sheet do not invalidate the entire petition sheet.
- 3. Contain an identical heading and be verified by the circulator; and
 - a. The circulator may add the printed name, voter registration address, county of registration, and date for a signer **before** the circulator completes the verification.
 - b. The circulator verification must be completed and signed before an officer authorized to administer oaths in South Dakota.
- 4. Contain the **original signature** of the candidate.
 - a. Additional sheets may have an original or photocopied signature from the candidate.



GUIDELINES FOR ACCEPTING PETITIONS (CONT'D)

ARSD <u>5:02:08:00</u> also requires the following:

- 1. The governing board or person authorized by statute to accept the petition shall, if requested, allow the **petition circulator** the opportunity to add missing information on the signature lines or circulator's verification on their petition, provided that the filing deadline has not passed;
- 2. Once a nominating petition has been received by the person in charge of the election, names may not be removed from the petition;
- 3. The person who is authorized to accept nominating petitions for filing needs to check the voter registration information of the signers; and
- 4. Petitions containing signatures in excess of the minimum number may be filed, but the excess signatures will be disregarded unless the petition is challenged.

See the <u>checklist</u> on the Secretary of State's website for more information on petition acceptance and signature verification!



GUIDELINES FOR VALIDATING PETITION SIGNATURES

Petitions signatures may only be accepted if they are validated based on the requirements established in ARSD 5:02:08:00.01.

A signature on a petition sheet may only be counted if:

- 1. The petition is in the proper form;
 - a. Note: Petitions have been modified to replace "Residence Address" with "Voter Registration Address" to comply with HB 1256. This change has not been made to the administrative rules.
- 2. The petition is self-contained on a single sheet of paper;
- 3. The circulator's verification is properly completed and includes a single circulator's name, residence address, and the complete date;
- 4. The declaration of candidacy was completed within the proper timeframe and witnessed by an official authorized to administer an oath in South Dakota;
- 5. The signature was received after the candidate completed the declaration of candidacy or before the circulator completed the circulator's verification;



GUIDELINES FOR VALIDATING PETITION SIGNATURES (CONT'D)

A signature on a petition sheet also may only be counted if:

- 1. The signature contains the signer's complete voter registration address;
 - a. A street address must be provided if the signer lives in a first-class municipality.
 - b. A PO Box number may be provided if the signer lives in a second- or third-class municipality.
 - c. A description of the location at which the signer is registered to vote may be provided if the signer does not have a street address.
 - d. Addresses should be liberally construed!
- 2. The date of signing is indicated on the signature line;
- 3. The signer's name is legible; and
- 4. The signer's county of voter registration is provided.

See the <u>checklist</u> on the Secretary of State's website for more information on petition acceptance and signature verification!



CANDIDATE NOMINATING PETITION REQUIREMENTS CHECKLIST

Petition sheet must be a single, self-contained sheet of paper printed front and back side (not glued, stapled, or taped etc.).

Must be in the exact format as prescribed in Administrative Rule (5:02:08) - the candidate nominating petition may have 20 signatures lines on a letter size sheet of paper or 30 signature lines on a legal size sheet of paper (these are suggestions and how we have created petitions to be downloaded).

Header matches prescribed format.

Instructions to Voters must be included.

Signature lines are numbered in order.

A candidate may complete the declaration of candidacy and have his/her signature notarized and then prior to collecting any signatures he/she may make photocopies of that petition sheet to circulate. NOTE: You must receive a petition with an original signature on the declaration in order to count any signatures on the photocopied petition sheets. You CANNOT count any petition sheets that have photocopied voter signatures lines on them.

Verification of Circulator section must be included.

If the petition is not in the format prescribed by administrative rule, that petition sheet is thrown out.

Circulator must print their name otherwise petition sheet is thrown out.

Circulator must sign their name otherwise petition sheet is thrown out.

Circulator must be a South Dakota resident and list an in-state, residential address (No PO BOX or out of state address is allowed for 1# class cities) otherwise petition sheet is thrown out. See page 2 for list of 1# class cities

Circulator CANNOT be the notary for the circulator's verification otherwise petition sheet is thrown out.

Only one circulator may sign otherwise petition sheet is thrown out.

Circulator MAY be a signer on the petition.

Circulator is allowed to fill in all of a signer's information on a signature line <u>except</u> for the voter's signature.

If at the time of submission and if the filing deadline has not passed the person in charge of the election needs to allow the circulator to add the missing information (circulator cannot add the voter's signature).

If missing info from circulator's verification can be found elsewhere on the petition that is acceptable (Ex: Circulator does not list his/her residence address in the circulator verification section, but the circulator is also the candidate and you find his/her residence address in the declaration of candidacy section of the petition).

Must be a South Dakota Notary otherwise petition sheet is thrown out.

Notary Seal or Imprint must be on petition otherwise the petition sheet is thrown out (if County Auditor, Municipal Finance Officer or School Business Manager - they may use their jurisdiction seal but that is not required).

Notary must sign otherwise petition sheet is thrown out.

Date of notarization must be fully complete including day/month/year or petition sheet is thrown out.

Notary's complete expiration date must be listed including day/month/year otherwise petition sheet is thrown out (if County Auditor, Municipal Finance Officer or School Business Manager - they do not need to list an expiration date).

Notary CANNOT notarize the circulator's verification and sign petition otherwise signature line is thrown out (SDCL 18-1-12.2). Notary CANNOT be the candidate otherwise petition sheet is thrown out (SDCL 12-6-8).

Notary date of signing cannot be a different day than the circulator signed and dated, otherwise petition sheet is

The title of person administering the oath is not required.

If the date of the voter's signature is before the date the candidate signed the declaration of candidacy the signature line is invalid.

Date of voter's signature must be on or before the notary signs the petition.

Date must include Month and Day (Can be spelled out or numerical, the year is not required).

Date of voter's signature must be on or after the voter's registration date.

If the information required for all six boxes is not there, the signature line would not count.

Ditto marks are not allowed.

Signers printed name must be legible and they may sign how they usually sign - DOES NOT need to match his/her voter registration record. Ex: Signer is registered as "William" but signs petition as "Bill."

On the signature line, the County of voter registration must match the county listed in their voter registration record.

Both active and inactive voters may sign petitions.

The petition must meet the signature requirements for the office the candidate is running for. You only need to validate signatures up to the number required and then you may stop. You do not need to verify extra signatures above the required number.

If the voter lives in a 1st class municipality, he/she should list the address at which they are registered to vote (no PO Boxes are allowed). If the voter lives in a 2nd or 3rd class municipality, he/she should list the address at which they are registered to vote or provide a PO Box number. 1st Class Municipalities are: Aberdeen, Belle Fourche, Box Elder, Brandon, Brookings, Harrisburg, Huron, Madison, Mitchell, Pierre,

If voter signed in the printed box and printed in the signed box (same with the other boxes – if theyare mixed up but all the information is there) you accept that signature line.

Common abbreviation marks areacceptable.

Name of a well-known building is acceptable (ex: Golden Living Nursing Home).

If signature lines are skipped you still count the other signature lines that meet all of the qualifications included in this checklist.

Description of voter registration location if the person does not have an address (ex: 7 miles West on Grey Goose Road, brown house across the street from the red barn) is acceptable.

If a voter contacts you and wants his/her name removed from the petition, the only way for that to be a removed is for the voter to contact the circulator of that petition and request his/her name be removed. The circulator is not required to remove the signature. This has to be done prior to the petitions being submitted to you.

Petition sheets are public documents but only after you have validated the signatures and either filed or rejected the petition. Any individual may request a copy of the petitions once the validation process is completed and you will charge your normal copyfee. SDCL 12-1-39

Figure 1 If you receive a petition that does not look like it is in the proper form and/or you have other questions, please call or email our office or talk with your city attorney.

Last Updated: December 5, 2025



SIGNATURE REQUIREMENTS – CITIES

1st & 2nd Class:

- At-Large Candidates Five (5) percent of the registered voters in the municipality based on the number recorded on the second Tuesday of the month five months before the election, or fifty (50) voters, whichever is less.
- Ward Candidates Five (5) percent of the registered voters in the ward based on the number recorded on the second Tuesday of the month five months before the election, or fifty (50) voters, whichever is less.
- Contact your County Auditor for the number of registered voters!

3rd Class:

- At-Large & Ward Candidates No less than three (3) registered voters in the municipality or ward.
- Voters may sign more than one petition.

SIGNATURE REQUIREMENTS - SCHOOLS

All School Districts: Twenty (20) Signatures

GENERAL NOTES

Both <u>Active</u> and <u>Inactive</u> voters may sign petitions (SDCL <u>12-4-34</u>); however, signature requirements are based only on the number of <u>Active</u> voters.

Unless otherwise noted, a voter may only sign as many petitions as there are positions to be filled.





INSTRUCTIONS TO CANDIDATE: T fully completed before the petition is circ	he heading of this petition and the declaration culated for signatures.	n of candidacy must be
Republican Party, nominate Gene G. Abo	voters of Legislative District 10 of South Da dallah, of Lincoln County, South Dakota, wl 57108, as a candidate for the office of State	nose mailing address is
DEC	LARATION OF CANDIDATE	MAR 1 2 2002
am eligible to seek the office for which I	exactly as you want it on the election ballot), if am a candidate, that I am registered to vote slative candidate I reside in the district from d serve in that office. (Signed)	as a member of the
Sworn to before me this 5th day of Febru	uary, 2002.	. 0
(Seal)	Signature of Officer Notary Public	Administering Oath
My Commission Expires September 17,	2007. Notary Public	Administering Oath
7	Title of Officer Adn	ninistering Oath
INSTRUCTIONS TO SIGNERS:	nts)	A STATE OF THE STA
or as they usually sign their names. 2. Before the petition is filed, each si	idually sign their names in the form in which	address of the signer and
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INITIATIVE PETITION

WE, THE UNDERSIGNED qualified voters of the City of Lead, in the County of Lawrence, in the State of South Dakota, petition that the following proposed change to the City Of Lead Commission Resolution of October 15th, 2018, known as The Crosswalk Project, be submitted to the voters of the City of Lead, Lawrence County, South Dakota at the general election on April 9th, 2019, pursuant to the Constitution of the State of South Dakota.

Title:

An Initiative to Change the City of Lead Commission vote of October 15th, 2018, on The Number of Crosswalks in Downtown Lead to be increased from One to Two total in the City of Lead Resolution Known as the Crosswalk Project

General Explanation:

This is an Initiative Petition is to have a vote placed on the ballot for the next Lead City general election cycle on April 9th, 2019 to change the resolution passed by the Lead City Commission on October 15, 2018 to install only a single crosswalk on the west side of Main Street at the junction of the Lead Library and the Mining Museum in Downtown Lead, SD. A proposed layout drawing is attached.

Be it resolved by the people The City of Lead, County of Lawrence, in this state of South Dakota, that the following resolution be adopted by the City of Lead on the so called Cross Walk Project.

This initiative will require the following:

1. The addition of one additional crosswalk will be added at the area between the Stampmill restaurant and the Opera House at or near the alleyway for a total of two which includes the City Commission's resolution of a single west location.



INSTRUCTIONS TO SIGNERS:

- Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
- Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
- Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
- 4. Abbreviations of common usage may be used. Ditto marks may not be used.
- 5. Failure to provide all information requested may invalidate the signature.

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NOMINATING PETITION FOR WATER DEVELOPMENT DISTRICT DIRECTOR NONPARTISAN ELECTION		
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Sworn to before me this \(\sum_{\text{o}}\) day of \(\sum_{\text{ut}}\)	ne 2009.
My Commission Expires 1-31-12	PAMEL M. RICE Specification of Confidence of
Form Revised 2007 - 5:02:08:08	My Commission Expires 01-31-2012 Administering Oath



NOMINATING PETITION FOR WATER DEVELOPMENT DISTRICT DIRECTOR NONPARTISAN ELECTION
INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be fully completed before the petition is circulated for signatures.
WE, THE UNDERSIGNED registered voters of Area 5
(Signed) Pe See
Sworn to before me this 20 day of Sanyas 920 6. (Seal) BRAD PREHEIM Signature of Officer Administering Oath
My Commission Expires NOTARY PUBLIC Signature of Officer Administering Oath NOTARY PUBLIC Title of Officer Administering Oath Title of Officer Administering Oath
INSTRUCTIONS TO SIGNERS: 1. Signers of this petition must individually sign their names in the form in which they are registered to vote



9R15TIN	MATTSON	STREET AND NUMBER OF QUIRAL ROUTE AND BOX NUMBER	DATE OF SIGNING
SION TO	- 10	CIPTOR TOWN SO STREET AND NUMBER OF KURAL ROUTE AND BOX NUMBER	COOTY OF REGISTRATION DATE OF SIGNING
RINT	MATTSOR	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN SIGN	far	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 3721 Scawa & Pitx LAW	DATE OF SIGNING 4-11-D9
SIGN)	SISTKA	CITY OR TOWN CITY OF THE CITY	COUNTY OF REGISTRATION

VERIFICATION BY PERSON CIRCULATING PETITIONS TO CIRCULATOR: This section mustiling. Print name of the circulator Residence	st be completed following circulation and before
I, under oath, state that I circulated the above petition, that ea presence, that I made reasonable inquiry and to the best of my qualified spiter is the county indicated on the signature line, it was coloring. Cated, and that either the signer or I added signature date of signatur	hat no state statute regarding petition circulation
My Commission Expires My Commission Expires My Commission Expires February 12, 2015 Form Revised 2007 - 5:02:08:08	Signature of Officer Administering Oath Title of Officer Administering Oath



VERIFICATION BY PERSON CIRCULATING PETITION INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before
filing. LILL OTTEN 2802 W. RAPEN ST. RAPEN CON ST. 17702
Print name of the circulator Residence Address City State
I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.
Sworn, to be for this la day of wel,
A NOTAL SUBLIC TO
NOTAN Dakota
Form Revised 2007 - 5:02:08:08 Title of Officer Administering Oath
VERIFICATION BY PERSON CIRCULATING PETITION INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before
filing.
VERIFICATION BY PERSON CIRCULATING PETITION INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing. BOYD GFLIFGAN 502-STOTE ARE ESTEMBLE STORY Print name of the circulator Residence Address City State
Find the circulator Residence Address City State I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name the residence address of the signer, the date of signing, and the county of voter registration.
Find the circulator Residence Address City State I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name the residence address of the signer, the date of signing, and the county of voter registration. Signature of Circulator Sworn to before me this 4 day of May , 2009
Find the circulator Residence Address City State I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name the residence address of the signer, the date of signing, and the county of voter registration. Signature of Circulator Sworn to before me this day of May 2009



SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
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Audiet Lyken	Waten traces 50	COUNTY OF REGISTRATION
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9 Dupen	1625 Horthruge &	4-14-09
L VEKI LUKEN	WATERTOWNS.	COUNTY OF REGISTRATION
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VERIFICATION BY PERSON CIRCUIT	LATING PETITION	, ,
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- Paul Lyken 53	Residence Address	trutama St
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		State
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I, under oath, state that I circulated the above presence, that I made reasonable inquiry an qualified voter in the county indicated on the		
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signer, the date of signing, and the county of	of voter registration.	1
	Simple for	
	Signature of Circulator	
Sworn to before me this /6 day of /	pril ,2009	
(Seal)	_ chiday of	Tukan
My Commission Expires 8/13/09	Signature of Officer Ad	ministering Oath
Form Revised 2007 - 5:02:08:08	Notary	
1 01111 1CV15CU 2007 - 3:02:08:08	Title of Officer Admini	stering Oath



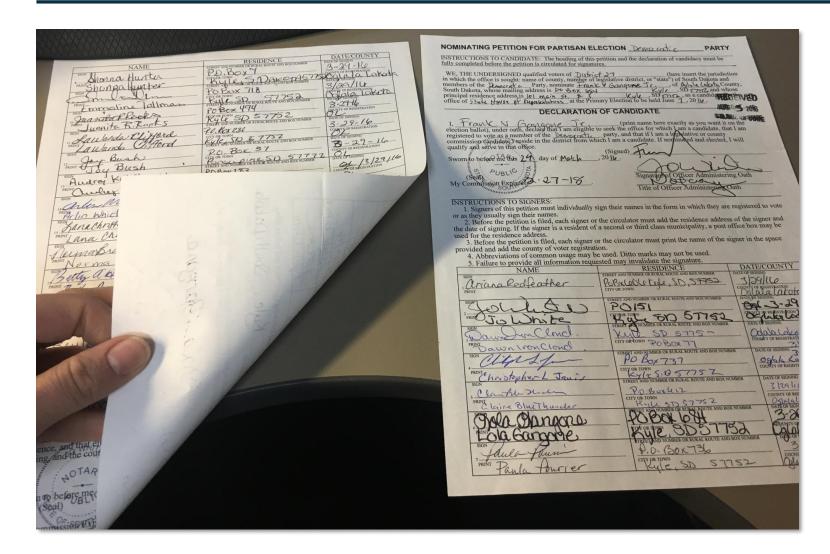
INSTRUCTIONS TO CIRCULATING PE	TITION
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DAKDASH 1 IDMAKDS 1:	2170 Come Rodade St
Resi	dence Address City State
I, under oath, state that I circulated the above petition, the presence, that I made reasonable inquiry and to the best qualified voter in the county indicated on the signature I was knowingly violated, and that either the signer or I a signer, the date of signing, and the county of voter regis	on his knowledge each person signing the petition is a line, that no state statute regarding petition circulation
	Signature of Circulator
Sworn to before me this day of	,
My Commission Expires	Signature of Officer Administering Oath
Form Revised 2007 - 5:02:08:08	Title of Officer Administering Oath
VERIFICATION BY PERSON CIRCULATING PETITIONS TO CIRCULATOR: This section mu	TION
Frieda Ten Finglos Wolf 25 Print name of the circulator Residen	SBHCWABB Chadron NEW 337
rint name of the circulator \circ Resident	te Address Chy State
I, under oath, state that I circulated the above petition, that of that I made reasonable inquiry and to the best of my knowled the county indicated on the signature line, that no state statu- and that either the signer or I added the printed name, the re- county of voter registration.	edge each person signing the petition is a qualified voter in a teregarding petition circulation was knowingly violated,
country of voter registration.	tried in Tingers
Sworn to before me this day of Obstar , 20	Signature of Circulator
SEAL SOUTH AND CASEY My Commission Expires	Signature of Officer Administering Oath
Form Revised 2010 - 5:02:08:09	Title of Officer Administering Oath



NAME	RESIDENCE	DATE/COUNTY
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for sluer Leans	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	2754/y 15
PRINT Tom Lucy Lewns	CITY OR TOWN LAW SD.	COUNTY OF REGISTRATION DATE OF SIGNING
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Sondra Jensen	devortour SD 57078	COUNTY OF REGISTRATION DATE OF SIGNING
SIGN Jeann Deine	STREET AND NUMBER OF RURAL ROUTE AND BOX NUMBER '909 EAST 16 55	8/5/15
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Journ Field for	STREET AND NUMBER OF RURAL ROUTE AND BOX NUMBER 10 Curlie St.	DATE OF SIGNING 8/8/15
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SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	B-9-/5
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Petitions must be <u>self-contained</u>, meaning printed front and back. You cannot validate petition sheets that are not self-contained on one sheet of paper.



UNDERSTANDING HB 1130



HB 1130 – AG OPINION

The Attorney General's office has provided an official opinion, which affirms that—at a minimum—municipal and school elections only need to be held on the statutory dates in June and November.

Holding a joint election remains entirely optional and can only be done if approved by both the municipality and/or school district and the county.

Contests are not required to all be on the same ballot—i.e., there may be separate ballots for separate contests.

The full opinion from the Attorney General's office can be found here.

STATE OF SOUTH DAKOTA

OFFICE OF ATTORNEY GENERAL

302 East SD Highway 1889, Suite 1 Pierre, South Dakota 57501-8501 Phone (605) 773-3215 Fax (605) 773-4106 http://aig.sd.gov

BRENT K. KEMPEMA CHIEF DEPUTY

December 3, 2025

ATTORNEY GENERAL

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

OFFICIAL OPINION 25-05

Re: Official Opinion Concerning 2025 HB 1130

Dear Secretary of State Johnson,

In your capacity as Secretary of State, you have requested an official opinion from the Attorney General's Office on the following questions:

QUESTION(S):

- Regarding elections for counties, municipalities, and school districts, must the municipal, school district, primary, and general election contests be on the same ballot, or may they be on separate ballots?
- 2. What do the phrases "in conjunction with" and "a combined election" mean?



HB 1130 – DEFINING TERMS

Based on the Attorney General's Opinion, our understanding of the word "combine" and the phrase "in conjunction with" has changed. Nonetheless, the options available to each municipality and school district remain the same.

<u>In Conjunction With:</u> A temporal phrase that refers to the timing of an election.

Combined: A word that refers to the division of expenses and governmental responsibilities.

Based on these definitions, all municipal and school elections will be held "in conjunction with" (i.e., on the same date as) the Primary or General Election. These elections may be entirely separate or "combined" in various ways. A combined election could involve contests being placed on the county ballot, or it could just involve the use of a common polling location with separate ballots. For any combined election, each jurisdiction involved must reach an agreement on how expenses and governmental responsibilities will be divided. <u>A combined election cannot be held if there is no agreement!</u>

The Secretary of State's office is preparing legislation for the 2026 Legislative Session to codify this understanding of HB 1130 and to pursue additional clarifying changes.



HB 1130 – SDCL 9-13-37

9-13-37. Municipal elections with June primary elections--Nominating petition circulation--Candidate and ballot language certification.

Any other provision of this chapter notwithstanding, the governing body of a municipality shall, in evennumbered years, hold the general municipal election in conjunction with the regular June primary election or the regular November general election. The expenses and governmental responsibilities of a combined election must be shared in a manner agreed upon by the governing body of the municipality and the board of county commissioners involved.

A nominating petition may not be circulated for signatures more than four months before the election. A nominating petition must be filed under the provisions of $\S 9-13-7$ at least seventy days before the election. The finance officer shall certify to the appropriate county auditor the candidate names and ballot language to be voted on by the Thursday sixty-eight days before the election.



HB 1130 – SDCL 13-7-10.3

13-7-10.3. Joint school board and primary or general elections authorized--Expenses and responsibilities shared--Candidate and ballot language certified.

Any other provision of this chapter notwithstanding, the board of a school district shall, in evennumbered years, hold the school board election in conjunction with the regular June primary election or the regular November general election. Expenses of a combined election must be shared in a manner agreed upon by the school board and the boards of county commissioners involved. All other governmental responsibilities associated with holding elections under the provisions of title 12 and this chapter must be shared as agreed upon by the board of the school district and the boards of county commissioners involved. The school election official shall certify to the appropriate county auditors the candidate names and ballot language to be voted on by the Thursday sixty-eight days before the election.



HB 1130 – WRITTEN AGREEMENT

A written agreement detailing how expenses and responsibilities should be divided will form the foundation for any joint election and must be approved by any jurisdiction involved in the election.

The agreement should at least address the following, but you may want to address other issues as well:

- 1. How will costs be split?
- 2. Will all jurisdictions print in the same paper, and who will be responsible for the publications?
- 3. Who will be responsible for recruiting election workers?
- 4. Who will be responsible for providing election materials?
- 5. Where will voting take place?
- 6. How will absentee voting be handled?
- 7. What will happen if all jurisdictions agree to combine, but one does not need to have an election after petitions are filed?

If you are struggling to draft an agreement, you may want to reach out to some of your colleagues who have had joint elections in the past to see what their agreements look like. Also remember to work with your jurisdiction's attorney!



QUESTIONS?