



OFFICE OF ATTORNEY GENERAL

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MARTY J. JACKLEY
ATTORNEY GENERAL

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RECEIVED

AUG 29 2017

S.D. SEC. OF STATE

HAND DELIVERED

August 29, 2017

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

RE: **Attorney General's Statement for initiated measure** (voting by mail)

Dear Secretary Krebs,

This Office received a proposed initiated measure that the sponsor will seek to place on the November 2018 general election ballot. Enclosed is a copy of the initiated measure, in final form, that was submitted to this Office. In accordance with SDCL 12-13-25.1, I hereby submit the Attorney General's Statement with respect to this initiated measure.

By copy of this letter, I am providing a copy of the Attorney General's Statement to the sponsor pursuant to SDCL 12-13-25.1.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Marty Jackley", with a long, sweeping underline.

Marty J. Jackley
ATTORNEY GENERAL

MJJ/PA/lde
Enc.

cc/enc.: Drey Samuelson
Jason Hancock, Director of LRC

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AUG 29 2017

S.D. SEC. OF STATE

INITIATED MEASURE

ATTORNEY GENERAL'S STATEMENT

Title: An initiated measure allowing certain elections to be conducted through a voting-by-mail process.

Explanation:

This initiated measure gives county commissioners the authority to require elections to be held by mail ballot. It also gives county auditors the authority to require voting by mail in precincts with less than 200 registered voters. The measure applies only to primary, special, and general elections conducted by the county auditor. Voters will receive advance notice that elections will be conducted by mail.

In most circumstances, if an election is conducted by mail the measure requires that ballots must be mailed to voters at least 14 days before the election. Upon completing the ballot, the voter must sign the provided envelope and return the ballot. Ballots may be returned by mail, delivered to the county courthouse, or deposited at designated ballot drop-off sites that are secure and publicly accessible 24 hours a day. Ballots must be received by 8:00 p.m. on the date of an election. A ballot will be counted if the auditor determines the voter's signature on the envelope matches the signature in the voter's registration record.

The measure creates felony and misdemeanor criminal offenses related to voting by mail.