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JAN 09 2019

S.D. SEC. OF STATE

January 9, 2018

Mr. Don Haggar
Americans for Prosperity
5032 Bur Oak Place, Suite 100
Sioux Falls, SD 57108

Dear Mr. Haggar:

Pursuant to SDCL 12-13-25, this office is required to review each initiated measure. Further, this office is required by SDCL 12-13-24 and 12-13-25 to determine if each initiated measure is written in clear and coherent manner in the style and form of other legislation, is worded so that the effect of the initiated measure is not misleading or likely to cause confusion among voters, does not create unnecessary conflict with existing law, and may effectively be administered. You are under no obligation to accept any of the suggestions contained in this letter, but please keep in mind the legal standards established in SDCL 12-13-24 and 12-13-25.

Attached is a rewrite of your proposed initiated measure which would reduce the tax rates as you proposed in your submitted draft but would repeal SDCL 10-64-9 and amend the specific sections of law that establish a tax rate to avoid needless conflicts in the law that may cause confusion. If you have any questions regarding our suggested changes, please feel free to contact me.

It has been determined during this review that this proposed initiated measure may have an impact on revenues, expenditures, or fiscal liability of the state and its agencies and political subdivisions. Please provide the Legislative Research Council a copy of the measure as submitted in final form to the Attorney General, so we can develop any required fiscal note.

This letter constitutes neither an endorsement of your initiated measure nor a guarantee of its sufficiency. It does constitute fulfillment of your responsibility pursuant to SDCL 12-13-25 to submit your draft to this office for review and comment. If you proceed with your initiated measure, please take care to ensure that your statements or advertising do not imply that this office endorses or approves your proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Hancock".

Jason Hancock
Director

JH:DO:ct

Enclosure

CC: The Honorable Steve Barnett, Secretary of State
The Honorable Jason Ravnsborg, Attorney General

g/b
Filed this _____ day of
January 2019
Steve Barnett
SECRETARY OF STATE