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July 2, 2019

Mr. Nick Zachariasen and Mr. Paul Thronson
South Dakota Community Action
7301 S. Valencia Drive
Sioux Falls, SD 57108

RECEIVED
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S.D. SEC. OF STATE

Dear Mr. Zachariasen and Mr. Thronson:

This office is required to review each initiated measure to determine whether it is written in a clear and coherent manner in the style and form of other legislation and worded so that the effect of the measure is not misleading or likely to cause confusion among voters in accordance with SDCL 12-13-24. Further, in accordance with SDCL 12-13-25, this office is required to provide written comments to assist the measure's sponsor in complying with SDCL 12-13-24, including assistance regarding the substantive content of the measure to minimize any conflict with existing law and ensure the measure's effective administration. 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 copy of your proposed initiated measure with our suggested changes in red. As we communicated with you via email, these edits should allow the effective administration of your proposed measure under the existing laws regarding voter registration. If you have any questions regarding our suggested changes, please feel free to contact us.

Also, the title has been removed since the attorney general will provide the title as required by SDCL 12-13-25.1.

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 initiated measure as submitted in final form to the Attorney General, so we can develop any fiscal note required by SDCL 2-9-30.

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 Ravensborg, Attorney General

BE IT ENACTED BY THE PEOPLE OF SOUTH DAKOTA:

Section 1. That chapter 12-4 be amended to add a NEW SECTION to read:

When any resident over the age of eighteen initiates any interaction with a state or county government entity, other than law enforcement, in which that person's address would be recorded or ~~when a person graduates high school~~, the entity shall check that person's voter registration status. If that person is entitled to register as defined in § 12-4-1 and is not registered to vote in the ~~State of South Dakota~~ state, the entity shall process a voter registration on the person's behalf with a party affiliation of that person's choosing, or as an independent if the person does not choose a party. The entity shall submit the registration to the county auditor on the person's behalf unless the person requests to submit it personally. A person may opt out of this registration.

Section 2. That chapter 12-4 be amended to add a NEW SECTION to read:

When any resident over the age of eighteen graduates from high school the school district shall check that person's voter registration status. If that person is entitled to register as defined in § 12-4-1 and is not registered to vote in the state, the school district shall process a voter registration on that person's behalf with a party affiliation of that person's choosing, or as an independent if the person does not choose a party. The school district shall submit the registration to the county auditor on the person's behalf unless the person requests to submit it personally. A person may opt out of this registration.

FOR AN ACT ENTITLED "An Act to institute automatic voter registration in the State of South Dakota"

BE IT ENACTED BY THE PEOPLE OF SOUTH DAKOTA:

Section 1. That chapter 12-4 be amended to add a NEW SECTION to read as follows.

When any resident over the age of eighteen initiates any interaction with a state or county government entity other than law enforcement in which that person's address would be recorded or when a person graduates high school, the entity shall check that person's voter registration status. If that person is entitled to register as defined in § 12-4-1 and is not registered to vote in the State of South Dakota, the entity shall process a voter registration on that person's behalf with a party affiliation of that person's choosing, or independent of the person does not choose a party. A person may opt out of this registration.