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MARTY J. JACKLEY
ATTORNEY GENERAL

BRENT K. KEMPEMA
CHIEF DEPUTY

May 16, 2024

RECEIVED

MAY 16 2024

SD Secretary of State

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

RE: Attorney General's Statement (An Amendment to the South Dakota Constitution Updating Gender References for Certain Officeholders and Persons)

Dear Secretary Johnson,

Enclosed submitted to your office is a copy of SJR 505, in final form, through which the Legislature has proposed an amendment to the state Constitution. The proposed amendment will be decided upon by the voters at the next general election. In accordance with state law, I hereby file the enclosed *final* Attorney General's Statement.

By copy of this letter, I am providing a copy of the final Statement to the Legislative Research Council.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Marty J. Jackley".

Marty J. Jackley
ATTORNEY GENERAL

MJJ/dd
Enc.

Filed this 16th day of
May 2024

A handwritten signature in blue ink, appearing to read "Monae L. Johnson".

SECRETARY OF STATE

Cc/encl: John McCullough Legislative Research Council

RECEIVED

MAY 16 2024

SD Secretary of State

CONSTITUTIONAL AMENDMENT

ATTORNEY GENERAL'S STATEMENT

Title: An Amendment to the South Dakota Constitution Updating Gender References for Certain Officeholders and Persons.

Explanation:

The South Dakota Constitution became effective upon the State joining the United States in 1889. The generic male pronouns he, his, and him are used in the text of the State Constitution to reference certain officeholders or individuals.

This amendment changes the text of the State Constitution to remove the use of generic male pronouns when referencing certain officeholders or individuals. For example, when referencing the Governor, instead of saying "he shall be commander-in-chief of the armed forces of the state," the text will be changed to read "the Governor shall be commander-in-chief of the armed forces of the state." The amendment makes similar changes to other references to the Governor, as well as to references to other officeholders including Lieutenant Governor, Supreme Court Justices, and Circuit Court Judges. The amendment also makes similar changes to references in the Constitution to general classes of people such as persons, electors, and public officers.

Filed this 16th day of

May 2024

Monae L. Johnson

SECRETARY OF STATE

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