Municipal Recall Election Guidelines
for ALL Municipalities (SDCL 9-13-29 to 35)

<u>Voters submit petition for recall</u>
- 15% of the registered voters of the municipality based upon the total number of registered voters at the last general election.
- Petition found in ARSD 5:02:08:17

<u>Set election date</u>
- Within 10 days of the presentation of the petition to the governing body an election date must be set for not less than 30 nor more than 50 days on a Tuesday (in order to meet all the publication requirements we encourage the governing board to set the date for at least 40 days out).
- *If a petition is filed on or after January first* prior to the annual municipal election and within sufficient time to comply with the notice provisions of SDCL 9-13-14, the question of a successor shall be submitted at that annual election (follow annual election procedures for notices and deadlines). (SDCL 9-13-31)

The information below applies if the governing board set a **Special Election date for 40 days** *from the presentation of the petition:*

<u>Notice of Vacancy</u>
- If you have a weekly paper, you will need to get this submitted for publication the **week prior to petition circulation.**

<u>Nominating petition circulation begins</u>
- 40 days before special election date *(suggested date to begin circulation, nothing in statute specifically states this).*
- The Notice of Vacancy would need to be published the same week nominating petition circulation begins.
- Petition format found in ARSD 05:02:08:13.

<u>Notice of vacancy</u>
- Publish twice – once the week nominating petition circulation begins and again the following week
- Vacancy notice found in ARSD 5:02:04:10.

<u>Nominating Petition Filing deadline</u>
- 20 days before special election date *(suggested deadline date; nothing in statute specifically states this).*

Registration deadline notice
- Publish once each week for two consecutive weeks. Last notice 10-15 days before registration deadline (SDCL 12-4-5.2).
- Registration notice found in ARSD 5:02:04:04

Registration deadline
- 15 days before election (SDCL 12-4-5).

Absentee ballots
- Absentee ballots must be available no later than fifteen days prior to the election (SDCL 9-13-21).

Notice of recall election
- Publish once each week for two consecutive weeks (SDCL 9-13-13). First notice not less than 10 days before the election and the second notice the week before the election.
- Notice of Recall election found in ARSD 5:02:04:11

Facsimile Ballot
- Publish in the calendar week prior to the election (SDCL 9-13-13).

Ballot format
- Use ballot format as set out in ARSD 5:02:06:12