

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

Voter(s) submit petition for recall

- 15% of the registered voters of the municipality based upon the total number of registered voters at the last general election. ([SDCL 9-13-30](#))
- Petition found in [ARSD 5:02:08:17](#)

Set election date

- 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). ([SDCL 9-13-31](#))
- *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 sets a **Special Election date for 40 days** from the presentation of the petition*

Notice of vacancy – PLAN AHEAD

- If you have a weekly paper, you will need to get this notice submitted to your paper for publication the **week prior to when petition circulation begins**.

Nominating petition circulation begins

- 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.
- Nominating petition format found in [ARSD 05:02:08:13](#).

Notice of vacancy

- Publish twice – once the week nominating petition circulation begins and again the following week
- Vacancy notice found in [ARSD 5:02:04:10](#).

Nominating Petition Filing deadline

- 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 newspaper in the calendar week prior to the election ([SDCL 9-13-13](#)).

Ballot format

- Use ballot format found in [ARSD 5:02:06:12](#)