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