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MARTY J. JACKLEY
ATTORNEY GENERAL

RECEIVED

MAY 19 2026

SD Secretary of State

BRENT K. KEMPEMA
CHIEF DEPUTY

May 19, 2026

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 Requiring that a Proposed Constitutional Amendment or Revision Receive an Affirmative Vote of Sixty Percent of the Votes Cast)

Dear Secretary Johnson,

Enclosed submitted to our office is a copy of HJR 5003 (2025), 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 19th day of
May 2026

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

SECRETARY OF STATE

Cc/encl: John McCullough Legislative Research Council

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SD Secretary of State

CONSTITUTIONAL AMENDMENT

ATTORNEY GENERAL'S STATEMENT

Title: An Amendment to the South Dakota Constitution Requiring that a Proposed Constitutional Amendment or Revision Receive an Affirmative Vote of Sixty Percent of the Votes Cast.

Explanation:

The State Constitution provides that any proposed constitutional amendment or revision must be submitted to the voters for approval. Currently, a proposed constitutional amendment or revision becomes part of the Constitution if approved by a majority of the votes cast.

This proposed Constitutional Amendment increases the number of votes required for a proposed constitutional amendment or revision to become part of the Constitution. If passed, further constitutional amendments must receive an affirmative vote of sixty percent of the votes cast to be implemented.

"Vote 'Yes' to adopt the amendment." "Vote 'No' to leave the Constitution as it is."

Word Count: 98

Filed this 19th day of

May 2026

Monae L. Johnson

SECRETARY OF STATE