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MARTY J. JACKLEY
ATTORNEY GENERAL

RECEIVED

MAY 14 2026

SD Secretary of State

BRENT K. KEMPEMA
CHIEF DEPUTY

May 14, 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 Clarifying that an Individual Must Be a Citizen of the United States to be Eligible to Vote)

Dear Secretary Johnson,

Enclosed submitted to our office is a copy of SJR 503 (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 for the purpose of receiving public comment on the same.

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 14th 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

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APR 28 2026

SD Secretary of State

CONSTITUTIONAL AMENDMENT

DRAFT ATTORNEY GENERAL'S STATEMENT

Title: An Amendment to the South Dakota Constitution Clarifying that an Individual Must Be a Citizen of the United States to be Eligible to Vote.

Explanation:

Article VII, § 2 of the South Dakota Constitution defines who is qualified to vote in state elections. Among these qualifications are age, residency, and United States citizenship requirements. Article VII, § 2 also establishes that individuals may be disqualified from voting because of mental incompetence or a felony conviction.

This constitutional amendment adds people who are not United States citizens to the list of individuals disqualified from voting, clarifying the existing requirement that only citizens may vote in state elections.

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

Word Count: 96

Filed this 14th day of

May 2026

Monae L. Johnson

SECRETARY OF STATE