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Challenge Filed to Constitutional Amendment A

Pennington County, SD - Today, Pennington County Sheriff Kevin Thom and the Superintendent of the South Dakota Highway Patrol, Colonel Rick Miller, filed two causes of action contesting the constitutionality of Amendment A. The challenges were filed in Hughes County Circuit Court.

"I've dedicated my life to defending and upholding the rule of law," said Sheriff Thom. "The South Dakota Constitution is the foundation for our government and any attempt to modify it should not be taken lightly. I respect the voice of the voters in South Dakota, however In this case I believe the process was flawed and done improperly, due to no fault of the voters."

"Our constitutional amendment procedure is very straightforward," said Col. Rick Miller. "In this case, the group bringing Amendment A unconstitutionally abused the initiative process. We're confident that the courts will safeguard the South Dakota Constitution and the rule of law."

The causes of action focus on the unconstitutional drafting and proposal of this issue as a constitutional amendment. First, the causes of action cite this clause in [Article XXIII Sec. 1. of the South Dakota Constitution](#): "A proposed amendment may amend one or more articles and related subject matter in other articles as necessary to accomplish the objectives of the amendment; however, no proposed amendment may embrace more than one subject."

Second, the pleadings emphasize that Amendment A attempted to insert an entirely new article into the Constitution, and therefore needed to follow the revision process set out in [Article XXIII Sec. 2](#) of the Constitution. The proponents of Amendment A failed to follow that basic textual requirement.

Given that this matter is now part of pending litigation, neither Sheriff Thom nor Col. Miller will be making further comment. All media inquiries should be directed to legal counsel.

Click [here](#) to read the filing.