**October 22nd, 2024**

**NOTICE OF TESTING AUTOMATIC TABULATING EQUIPMENT**

 Notice is hereby given per 12-17B-5, the county chair of each political party with a candidate on the ballot, any independent candidate or candidate without party affiliation on the ballot, and the ballot question committees for or against an initiated or referred measure or initiated constitutional amendment, that the automatic tabulating equipment will be tested to ascertain that it will correctly count the votes for all offices and measures that are to be cast at the General election held on the 5th day of November, 2024. Contact information was obtained through a search of all active statewide ballot question committees on the Campaign Finance Reporting System.

 The test will be conducted on the 29th day of October, 2024, at 2 o'clock p.m. at the following location: McPherson County Courthouse in the Commission Chambers, 706 Main Street, Leola, SD 57456.

Thank You,

Lindley Howard

McPherson County Auditor

[**12-17B-5**](https://sdlegislature.gov/Statutes?Statute=12-17B-5)**. Testing system before election--Certification of errorless machine--Promulgation of rules--Public notice--Independent candidate and ballot committee contact information.**

Not more than ten days prior to an election, the person in charge of the election shall conduct a test of the automatic tabulating equipment to ascertain that the equipment will correctly count the votes cast for all offices and on all measures. The test must be open to the public. The person in charge of the election shall notify the county chair of each political party with a candidate on the ballot, any independent candidate or candidate without party affiliation on the ballot, and the ballot question committees for or against an initiated or referred measure or initiated constitutional amendment of the testing of the automatic tabulating equipment one week before the test is conducted. The person in charge of the election shall post notice of the time and place of the test in the same manner as a public meeting agenda, pursuant to § [1-25-1.1](https://sdlegislature.gov/Statutes?Statute=1-25-1.1).

If an errorless count by an automatic tabulating machine is achieved by the test, the person in charge of the election shall certify the machine. The State Board of Elections shall promulgate rules, pursuant to chapter [1-26](https://sdlegislature.gov/Statutes?Statute=1-26), prescribing the certification of properly functioning automatic tabulating equipment under this section.

If an error is detected, the cause of the error shall be determined and corrected. Once the error is corrected, the person in charge of the election shall conduct a new test of the automatic tabulating equipment. The person in charge of the election may not approve the automatic tabulating equipment until an errorless count is made.

Any additional testing required to achieve an errorless count must be open to the public. The person in charge of the election shall post notice of the time and place of an additional test in the same manner as a public meeting agenda, pursuant to § [1-25-1.1](https://sdlegislature.gov/Statutes?Statute=1-25-1.1). The person in charge of the election shall notify the county chair of each political party with a candidate on the ballot, any independent candidate or candidate without party affiliation on the ballot, and the ballot question committees for or against an initiated or referred measure or initiated constitutional amendment of the testing of the automatic tabulating equipment twenty-four hours prior to the test.

The secretary of state shall provide each county auditor with the contact information for any independent candidate, candidate without party affiliation appearing on the ballot, and the ballot question committees for or against an initiated or referred measure or initiated constitutional amendment in the auditor's county.