



## NEWS RELEASE

**Marty J. Jackley**  
South Dakota Attorney General

**Charles McGuigan**  
Chief Deputy Attorney General

**FOR IMMEDIATE RELEASE:** Tuesday, September 12, 2017  
**CONTACT:** Sara Rabern (605) 773-3215

### **Attorney General Explanation for Initiated Measure on Prescription Drugs Upheld by Court**

**PIERRE, S.D.** – Attorney General Marty Jackley announced today Circuit Court Judge Mark Barnett has denied the request to have the Attorney General's Office rewrite the explanation for the initiated measure establishing a cap on the price a State agency may pay for a prescription drug. Drug companies challenged the explanation in court today.

"I have worked to provide a fair, clear, and simple summary of the proposed measure in order to assist our voters. The role of the Attorney General when writing the voter explanation is to be fair and neutral and not to advocate for or against a ballot measure. The Court has reaffirmed the fairness of this process," said Jackley.

Under South Dakota law, the Attorney General is responsible for preparing explanations for proposed initiated measures, referred laws, and South Dakota Constitutional Amendments. Specifically, the explanation includes a title, an objective, clear and simple summary of the purpose and effect of the proposed measure and a description of the legal consequences. The Attorney General Explanation is not a statement either for or against the proposed initiated measure.