

**ACKNOWLEDGMENT AND CERTIFICATION REQUIRED BY EXECUTIVE ORDER
2023-13**

Section 1 Definitions. The words used in this Certification shall mean:

1.1 “Contractor,” any natural person or entity that is a party to a contract with a state agency, authority, bureau, board, commission, department, or institution of the State of South Dakota that is controlled by the Governor.

1.2 “State,” any state agency, authority, bureau, board, commission, department or institution of the State of South Dakota that is controlled by the Governor.

1.3 “Contract,” any type of agreement with the State, regardless of what the agreement may be called.

Section 2. Acknowledgment and Certification. The Contractor acknowledges and certifies that the following information is correct:

2.1 The Contractor understands Article 3, Section 12 of the South Dakota Constitution, has had the opportunity to seek independent legal advice if desired, and no Contracts between the Contractor and the State are made in contravention of the prohibition set forth in Article 3, Section 12.

2.2 It is understood and agreed that, if this certification is false, such false certification will constitute grounds for the State to terminate the Contract.

2.3 The Contractor further agrees to provide immediate written notice to the State if during the term of the Contract the Contractor no longer complies with this certification. The Contractor also agrees such noncompliance may be grounds for termination of the Contract.

Dated _____, 202__.

Contractor:

By: _____

Printed Name: _____

Title: _____