

## 2021 South Dakota Legislature

**Senate Bill 77****AMENDMENT 77E FOR THE SENATE STATE AFFAIRS BILL**

1 **An Act to require certain font size for initiated ~~measure~~-petitions.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1.** That § 2-1-1.2 be AMENDED.

4 **2-1-1.2. Initiated measure--Petition--Contents--Signatures and filing.**

5 The petition as it is to be circulated for an initiated measure shall be filed with the  
6 secretary of state, including an electronic copy of the petition as it is to be circulated, prior  
7 to circulation for signatures and shall:

8 (1) ~~Contain the full text of the initiated measure in fourteen point font;~~

9 ~~(2)~~ Contain the date of the general election at which the initiated measure is to be  
10 submitted;

11 ~~(3)~~(2) Contain the title and explanation as prepared by the attorney general;

12 ~~(4)~~(3) Be accompanied by a notarized affidavit form signed by each person who is a  
13 petition sponsor that includes the name and address of each petition sponsor; and

14 ~~(5)~~(4) Be accompanied by a statement of organization as provided in § 12-27-6.

15 Each petition circulator shall provide to each person who signs the petition a form  
16 containing the title and explanation of the initiated measure as prepared by the attorney  
17 general; any fiscal note prepared pursuant to § 2-9-30; the name, phone number, and  
18 email address of each petition sponsor; a statement whether the petition circulator is a  
19 volunteer or paid petition circulator and, if a paid circulator, the amount the circulator is  
20 being paid. The form shall be approved by the secretary of state prior to circulation. The  
21 petition form, as prescribed by the State Board of Elections, shall include the paid  
22 circulator identification number within the verification of any paid circulator. The petition  
23 circulator shall also make available, to each person who signs the petition, the full text of  
24 the initiated measure in fourteen-point font.

25 For any initiated measure petition, no signature may be obtained more than twenty-  
26 four months preceding the general election that was designated at the time of filing of the

1 full text. The initiated measure petition shall be filed with the secretary of state at least  
 2 one year before the next general election. A sworn affidavit, signed by at least two-thirds  
 3 of the petition sponsors stating that the documents filed constitute the entire petition and  
 4 to the best of the knowledge of the sponsors contains a sufficient number of signatures  
 5 shall also be filed with the secretary of state. The form of the petition otherwise, including  
 6 petition size and petition font size, and the affidavit shall be prescribed by the State Board  
 7 of Elections.

8 **Section 2.** That § 2-1-1.1 be AMENDED.

9 **2-1-1.1. Initiated constitutional amendment--Petition--Contents--**  
 10 **Signatures and filing.**

11 The petition as it is to be circulated for an initiated amendment to the Constitution  
 12 shall be filed with the secretary of state, including an electronic copy of the petition as it  
 13 is to be circulated, prior to circulation for signatures and shall:

- 14 (1) ~~Contain the full text of the initiated amendment in fourteen point font;~~  
 15 ~~(2)~~ Contain the date of the general election at which the initiated amendment is to be  
 16 submitted;  
 17 ~~(3)~~(2) Contain the title and explanation as prepared by the attorney general;  
 18 ~~(4)~~(3) Be accompanied by a notarized affidavit form signed by each person who is a  
 19 petition sponsor that includes the name and address of each petition sponsor; and  
 20 ~~(5)~~(4) Be accompanied by a statement of organization as provided in § 12-27-6.

21 Each petition circulator shall provide to each person who signs the petition a form  
 22 containing the title and explanation of the initiated amendment to the Constitution as  
 23 prepared by the attorney general; any fiscal note prepared pursuant to § 2-9-30; the  
 24 name, phone number, and email address of each petition sponsor; and a statement  
 25 whether the petition circulator is a volunteer or paid petition circulator and, if a paid  
 26 circulator, the amount the circulator is being paid. The form shall be approved by the  
 27 secretary of state prior to circulation. The petition form, as prescribed by the State Board  
 28 of Elections, shall include the paid circulator identification number within the verification  
 29 of any paid circulator. The petition circulator shall also make available, to each person  
 30 who signs the petition, the full text of the initiated amendment in fourteen-point font.

31 For any initiated amendment petition, no signature may be obtained more than  
 32 twenty-four months preceding the general election that was designated at the time of  
 33 filing of the full text. The initiated amendment petition shall be filed with the secretary of  
 34 state at least one year before the next general election. A sworn affidavit, signed by at

1 least two-thirds of the petition sponsors, stating that the documents filed constitute the  
2 entire petition and to the best of the knowledge of the sponsors contains a sufficient  
3 number of signatures shall also be filed with the secretary of state. The form of the petition  
4 otherwise, including petition size and petition font size, and the affidavit shall be  
5 prescribed by the State Board of Elections.