



2023 South Dakota Legislature

Senate Joint Resolution 502

Introduced by: **Senator Schoenbeck**

1 **A JOINT RESOLUTION, Proposing and submitting to the voters at the next general**
 2 **election amendments to the Constitution of the State of South Dakota**
 3 **revising and establishing certain constitutional provisions regarding the**
 4 **lieutenant governor and the presiding officers of the Senate and House of**
 5 **Representatives.**

6 BE IT RESOLVED BY THE SENATE OF THE STATE OF SOUTH DAKOTA, THE HOUSE OF
 7 REPRESENTATIVES CONCURRING THEREIN:

8 **Section 1.** That at the next general election held in the state, the following amendments to
 9 Article III, Article IV, and Article XVI of the Constitution of the State of South Dakota, as set
 10 forth in sections 2 to 5, inclusive, of this Joint Resolution, which is hereby agreed to, shall be
 11 submitted to the electors of the state for approval.

12 **Section 2. That Article III of the Constitution of the State of South Dakota, be**
 13 **amended with a NEW SECTION:**

14 The members of the senate shall elect one member to preside as president of the
 15 senate. The members of the house of representatives shall elect one member to preside
 16 as speaker of the house of representatives.

17 **Section 3. That Article IV, § 5 of the Constitution of the State of South Dakota, be**
 18 **AMENDED:**

19 ~~§ 5. The lieutenant governor shall be president of the senate but shall have no~~
 20 ~~vote unless the senators be equally divided.~~ The lieutenant governor shall perform the
 21 duties and exercise the powers that may be delegated to him by the Governor.

22 **Section 4. That Article XVI, § 2 of the Constitution of the State of South Dakota, be**
 23 **AMENDED:**

1 **§ 2.** All impeachments shall be tried by the senate. When sitting for that purpose
2 the senators shall be upon oath or affirmation to do justice according to law and evidence.
3 No person shall be convicted without the concurrence of two-thirds of the members
4 elected. ~~When the Governor or lieutenant governor is on trial the presiding judge of the~~
5 ~~Supreme Court shall preside.~~

6 **Section 5. That Article XVI, § 6 of the Constitution of the State of South Dakota, be**
7 **REPEALED:**

8 ~~On trial of an impeachment against the Governor the lieutenant governor shall not~~
9 ~~act as a member of the court.~~

10 **Section 6.** Sections 2 to 5, inclusive, are effective January 1, 2027.