



2024 South Dakota Legislature
House Bill 1244
ENROLLED

AN ACT

ENTITLED An Act to provide a process to withdraw a signature from a petition for an initiated measure, constitutional amendment, or a referendum on a law in certain situations and to declare an emergency.

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

Section 1. That a NEW SECTION be added to chapter 2-1:

An individual who has signed a petition to initiate a constitutional amendment or measure, or to refer a law, may submit a written notification to the secretary of state stating that the individual's name be withdrawn from the petition. A signature may be withdrawn as provided in section 2 of this Act.

The written notification must include:

- (1) The title of the petition;
- (2) The printed name, signature, residence address, and county of registration of the individual withdrawing the individual's signature from the petition; and
- (3) A statement that the individual is withdrawing the individual's signature from the petition.

The individual's signature on the written statement must be witnessed and notarized by a notary public commissioned in South Dakota or other officer authorized to administer oaths pursuant to § 18-3-1. For a written notification to withdraw a signature to be valid under this section, an individual must submit the written notification to the secretary of state at any time before the petition from which the individual is submitting a written notification for withdrawal under this Act is filed and certified for placement on the next general election ballot under § 2-1-17.

The written notification may be delivered by hand, or United States registered mail to the secretary of state.

Section 2. That a NEW SECTION be added to chapter 2-1:

If a challenge to a validated petition is filed pursuant to § 2-1-17.1 or 2-1-18, the secretary of state must provide to each party to the proceeding all written notifications, submitted under section 1 of this Act, that pertain to the validated petition being challenged. If a signature is withdrawn pursuant to section 1 of this Act, the signature is deemed withdrawn from the petition and may not be counted as valid in a challenge.

Section 3. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to provide a process to withdraw a signature from a petition for an initiated measure, constitutional amendment, or a referendum on a law in certain situations and to declare an emergency.

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

House as Bill No. 1244

2024 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby approved this _____ day of _____, A.D., 2024

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Filed _____, 2024
at _____ o'clock __ M.

Attest:

Secretary of the Senate

Secretary of State

House Bill No. 1244
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State