

2024 South Dakota Legislature

House Bill 1140**AMENDMENT 1140I
FOR THE SENATE ENGROSSED BILL**

1 **An Act to revise certain provisions relating to petitions containing illegal actions**~~and~~
2 **~~to declare an emergency.~~**

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

4 **Section 1. That § 7-18A-13 be AMENDED:**

5 **7-18A-13.** If a petition to initiate is filed with the auditor, the auditor shall present
6 it to the board of county commissioners at its next regular or special meeting. ~~The~~ The
7 person submitting the petition may withdraw the petition at any time prior to the
8 scheduling of the election. Unless the board determines the petition's proposed measure
9 is in contravention of state or federal law, which determination may be appealed to circuit
10 court in accordance with § 7-8-27, the board shall enact the proposed ordinance or
11 resolution and shall submit it to a vote of the voters in the manner prescribed for a
12 referendum within sixty days after the final enactment. However, if the petition is filed
13 within three months prior to the primary or general election, the ordinance or resolution
14 may be submitted at the primary or general election.

15 **Section 2. That § 9-20-4 be AMENDED:**

16 **9-20-4.** When a petition to initiate is filed with the finance officer, the finance
17 officer shall present the petition to the governing body at its first ensuing regular or special
18 meeting. ~~The~~ The person submitting the petition may withdraw the petition at any time
19 prior to the scheduling of the election. Unless the governing body determines the petition's
20 proposed measure is in contravention of state or federal law, which determination may be
21 appealed to circuit court in accordance with chapter 21-29 or 21-30, the governing body
22 shall submit the petition to a vote of the voters in the manner prescribed for a referendum.

- 1 **Section 3.** ~~Whereas, this Act is necessary for the support of the state government and its~~
2 ~~existing public institutions, an emergency is hereby declared to exist, and this Act shall be in~~
3 ~~full force and effect from and after its passage and approval.~~

AMENDMENT