



## 2025 South Dakota Legislature

# Senate Bill 13

SENATE LOCAL GOVERNMENT ENGROSSED

Introduced by: **Senator Deibert**

1 **An Act to clarify the enactment and effective date of a measure initiated or referred**  
 2 **within a political subdivision.**

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 board  
 7 shall ~~enact the proposed ordinance or resolution and~~ shall submit it to a vote of the voters  
 8 in the manner prescribed for a referendum within sixty days after the final enactment.  
 9 However, if the petition is filed within three months prior to the primary or general  
 10 election, the ordinance or resolution may be submitted at the primary or general election.

11 **Section 2. That § 7-18A-14 be AMENDED:**

12 **7-18A-14.** No initiated ordinance or resolution is effective unless approved by a  
 13 majority of the votes cast for and against the ordinance or resolution. If approved, the  
 14 ordinance or resolution ~~takes effect upon~~ is effective the day following the completion of  
 15 the canvass of the election returns.

16 **Section 3. That § 7-18A-22 be AMENDED:**

17 **7-18A-22.** No referred ordinance or resolution ~~shall become operative~~ is effective  
 18 unless approved by a majority of the votes cast for and against the ~~same~~. If approved, it  
 19 shall ~~take effect upon~~ ordinance or resolution. If approved, the ordinance or resolution is  
 20 effective the day following the completion of the canvass of the election returns ~~relating~~  
 21 thereto.

22 **Section 4. That § 9-20-5 be AMENDED:**

1           **9-20-5.** No initiated ordinance or resolution ~~shall become operative~~ is effective  
 2 unless approved by a majority of the votes cast for and against the ~~same~~. ~~If so approved,~~  
 3 ~~it shall take effect upon~~ ordinance or resolution. If approved, the ordinance or resolution  
 4 is effective the day following the completion of the canvass of the election returns ~~relating~~  
 5 thereto.

6 **Section 5. That § 9-20-15 be AMENDED:**

7           **9-20-15.** No referred ordinance or resolution ~~so submitted shall become operative~~  
 8 is effective unless approved by a majority of the votes cast for and against the ~~same~~. ~~If~~  
 9 ~~so approved,~~ ~~it shall take effect upon~~ ordinance or resolution. If approved, the ordinance  
 10 or resolution is effective the day following the completion of the canvass of the election  
 11 returns ~~relating thereto~~.