2025 South Dakota Legislature

House Bill 1184

Introduced by: ***Representative*** *Hansen*

An Act to amend the deadline for filing a petition to initiate a measure or constitutional amendment.

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

Section 1. That § 2-1-1.1 be AMENDED:

2-1-1.1. A petition as it is to be circulated for an initiated amendment to the Constitution must be filed with the secretary of state, including an electronic copy of the petition, prior to circulation for signatures and at least one year before the next general election at which the initiated amendment is proposed to be submitted to the voters. The petition filing must:

(1) Contain the full text of the initiated amendment in fourteen-point font;

(2) Contain the date of the general election at which the initiated amendment is to be submitted;

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

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

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

Each petition circulator shall provide to each person who signs the petition a circulator handout containing the title and explanation of the initiated amendment to the Constitution as prepared by the attorney general; any fiscal note prepared pursuant to § 2-9-30; the name, phone number, and email address of each petition sponsor; and a statement whether the petition circulator is a volunteer or paid circulator and, if a paid circulator, the amount the circulator is being paid. The secretary of state shall approve the circulator handout for each initiated amendment to the Constitution before the petition is circulated.

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

filing of the full text. A sworn affidavit, signed by at least two-thirds of the petition sponsors, stating that the documents filed constitute the entire petition and to the best of the knowledge of the sponsors contains a sufficient number of signatures, must also be filed with the secretary of state. The initiated amendment petition signatures must be filed with the secretary of state by the first Tuesday in ~~May~~ February of a general election year for the initiated amendment to qualify for submission to the voters at the next general election. The State Board of Elections shall prescribe the form of the affidavit and the petition otherwise, including petition size and petition font size for ballot measure language not prescribed in this section.

Section 2. That § 2-1-1.2 be AMENDED:

2-1-1.2. A petition as it is to be circulated for an initiated measure must be filed with the secretary of state, including an electronic copy of the petition, prior to circulation for signatures and at least one year before the next general election at which the initiated measure is proposed to be submitted to the voters. The petition filing must:

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

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

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

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

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

Each petition circulator shall provide to each person who signs the petition a circulator handout containing the title and explanation of the initiated measure as prepared by the attorney general; any fiscal note prepared pursuant to § 2-9-30; the name, phone number, and email address of each petition sponsor; and a statement whether the petition circulator is a volunteer or paid circulator and, if a paid circulator, the amount the circulator is being paid. The secretary of state shall approve the circulator handout for each initiated measure before the petition is circulated.

For any initiated measure petition, no signature may be obtained more than twenty-four months preceding the general election that was designated at the time of filing of the full text. A sworn affidavit, signed by at least two-thirds of the petition sponsors, stating that the documents filed constitute the entire petition and to the best of the knowledge of the sponsors contains a sufficient number of signatures, must also be filed with the secretary of state. The initiated measure petition signatures must be filed

with the secretary of state by the first Tuesday in ~~May~~ February of a general election year for the initiated measure to qualify for submission to the voters at the next general election. The State Board of Elections shall prescribe the form of the affidavit and the petition otherwise, including petition size and petition font size for ballot measure language not prescribed in this section.