



2025 South Dakota Legislature

House Concurrent Resolution

6013

ENROLLED

AN ACT

A CONCURRENT RESOLUTION, Supporting the Electoral College, denouncing the National Popular Vote Interstate Compact, and inviting interested states to form the Electoral College Interstate Compact.

WHEREAS, the current electoral college system respects states as the essential units in our compound republic, protecting their power and voice in presidential elections; and

WHEREAS, the current electoral college system respects the separation and balance of power and authority between the states and the federal government; and

WHEREAS, the current electoral college system creates a needed balance between rural and urban interests and ensures that the winning candidate has support from multiple regions of the country; and

WHEREAS, the current electoral college system ensures that each state's electoral votes are awarded based on how the state's citizens vote; and

WHEREAS, the current electoral college system best preserves our constitutional separation of powers and prevents the fracture of America's political structure; and

WHEREAS, the founding fathers rejected a national popular vote for president and instead created the Electoral College; and

WHEREAS, the National Popular Vote Interstate Compact diminishes the importance of individual states in presidential elections, creates the potential for nationwide recounts, and opens the door to greater federal control; and

WHEREAS, under the National Popular Vote Interstate Compact, a state's electoral vote could be awarded to a candidate opposed by the majority of the state's citizens; and

WHEREAS, the constitutionality of the National Popular Vote Interstate Compact is doubtful because it appears to violate the text of the Compact Clause of the United States Constitution and the intent of the electoral college clauses;

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the One Hundredth Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature supports the Electoral College and believes the National Popular Vote Interstate Compact may be unconstitutional; and

BE IT FURTHER RESOLVED, that this Legislature invites all other interested states to form an Electoral College Interstate Compact to prohibit electors from participating states from casting the elector's vote in accordance with the national popular vote count and require the participating states to legally challenge the constitutionality of the National Popular Vote Interstate Compact; and

BE IT FURTHER RESOLVED, that this Legislature proposes forming the Electoral College Interstate Compact when four other states declare their intent to form the Electoral College Interstate Compact, at which time the interested states shall take appropriate steps to organize and form the compact; and

BE IT FURTHER RESOLVED, that the secretary of state forward copies of this resolution to the secretaries of state and majority and minority leaders in each legislative chamber in the states of Alabama, Alaska, Arkansas, Arizona, Florida, Georgia, Iowa, Idaho, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Utah, West Virginia, Wisconsin, and Wyoming.

Adopted by the House of Representatives,
Concurred in by the Senate,

February 25, 2025
March 6, 2025

Jon Hansen
Speaker of the House

Patricia Miller
Chief Clerk

Chris Karr
President Pro Tempore
of the Senate

Peggy Laurenz
Secretary of the Senate