

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

837Y0304

SENATE BILL NO. 99

Introduced by: Senators Kennedy and Youngberg and Representatives Reed and Bartling

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the petition signature
2 requirements for municipal elections.

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

4 Section 1. That § 9-13-9 be amended to read:

5 9-13-9. In municipalities of the first and second class, if the candidate is to be voted for by
6 the voters at large, a nominating petition shall be signed by ~~fifteen registered voters of the~~
7 ~~municipality for each thousand or major fraction of the population, as shown by the last~~
8 ~~preceding federal census~~ five percent of the registered voters of the municipality based on the
9 number of registered voters recorded by the county auditor on the second Tuesday in January
10 of the year of the election. No petition need be signed by more than fifty voters.

11 If the candidate is to be voted for by the voters of a ward of a municipality of the first or
12 second class having more than one ward, a nominating petition shall be signed by ~~at least five~~
13 ~~percent of the registered voters of the ward. The percentage shall be based on the total number~~
14 ~~of registered voters voting in the ward at the last preceding general election~~ five percent of the
15 registered voters of the ward based on the number of registered voters recorded by the county



1 auditor on the second Tuesday in January of the year of the election. No petition need be signed
2 by more than fifty voters.

3 In municipalities of the third class, if the candidate is to be voted for by the voters at large,
4 the nominating petition shall be signed by not less than ~~ten~~ three registered voters of the
5 municipality. If the candidate is to be voted for by the voters of a ward of a municipality having
6 more ~~than~~ than one ward, the nominating petition shall be signed by not less than ~~five~~ three
7 registered voters of the ward. A petition signer in a municipality of the third class is not
8 restricted in the number of petitions which the person may sign.

9 No nominating petition may be circulated until on or after the last Friday in January ~~prior~~
10 ~~to~~ before the election.

11 Section 2. That § 9-20-1 be amended to read:

12 9-20-1. The registered voters of any municipality may propose ordinances and resolutions
13 for the government of the municipality if the petition is signed by at least five percent of the
14 registered voters in the municipality. The percentage shall be based on the number of registered
15 voters of the municipality as ~~determined~~ recorded by the county auditor ~~from the master~~
16 ~~registration file of registered voters in the municipality as of the time of the filing of the petition~~
17 mentioned in § 9-20-2 on the second Tuesday in January in the year of the election.

18 Section 3. That § 9-20-8 be amended to read:

19 9-20-8. The referendum petition shall be signed by at least five percent of the registered
20 voters in the municipality. The percentage shall be based on the number of registered voters of
21 the municipality as ~~determined~~ recorded by the county auditor ~~from the master registration file~~
22 ~~as of the time of the filing of the petition~~ on the second Tuesday in January in the year of the
23 election. The signer or circulator shall add the signer's residence address, county of voter
24 registration, and date of signing. The signer's post office box number may be given in lieu of a

1 street address if the signer lives within a municipality of the second or third class.