

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

661Z0097

## HOUSE BILL NO. 1006

Introduced by: Representatives Soli, Peterson (Kent), and Reed and Senators Nesiba, Bolin, and Otten (Ernie) at the request of the Initiative and Referendum Task Force

1 FOR AN ACT ENTITLED, An Act to revise the extent of comments required by the director  
2 of the Legislative Research Council regarding certain ballot measures and the period of time  
3 in which those comments are to be made.

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

5 Section 1. That § 12-13-25 be amended to read:

6 12-13-25. The sponsors of each ~~initiative~~ initiated measure or initiated amendment to the  
7 Constitution shall submit a copy of the ~~initiative~~ initiated measure or initiated amendment to the  
8 Constitution to the director of the Legislative Research Council for review and comment before  
9 it may be circulated for signatures. The director shall review each submitted ~~initiative~~ initiated  
10 measure or initiated amendment to the Constitution to determine if the requirements of § 12-13-  
11 24 are satisfied and if the ~~initiative~~ initiated measure or initiated amendment to the Constitution  
12 may have any impact on revenues, expenditures, or fiscal liability of the state or its agencies and  
13 subdivisions. ~~Within~~ Unless as otherwise provided under section 2 of this Act, not more than  
14 fifteen days of work days following receipt of an ~~initiative~~ initiated measure or initiated  
15 amendment to the Constitution, the director shall provide written comments on the ~~initiative~~



1 initiated measure or initiated amendment to the Constitution to the sponsors of the ~~initiative~~  
2 initiated measure or initiated amendment, the attorney general, and the secretary of state for the  
3 purpose of assisting the sponsors in complying with § 12-13-24. The director's written  
4 comments under this section shall include assistance regarding the substantive content of the  
5 initiated measure or initiated amendment in order to minimize any conflict with existing law and  
6 to ensure the measure's or amendment's effective administration. The sponsors may, but are not  
7 required to, amend the ~~initiative~~ initiated measure or initiated amendment to the Constitution  
8 to comply with the director's comments.

9 Section 2. That the code be amended by adding a NEW SECTION to read:

10 If the director of the Legislative Research Council receives any initiated measure or initiated  
11 amendment to the Constitution from the first day of December to the day of adjournment sine  
12 die of the following legislative session, inclusive, the director shall provide written comments  
13 as required pursuant to § 12-13-25 not more than fifteen work days following adjournment sine  
14 die of the legislative session.