

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

556H0556

## HOUSE JOINT RESOLUTION NO. 1004

Introduced by: Representatives Adelstein, Holbeck, Lintz, and Sutton (Duane) and Senator Whiting

1 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election  
2 an amendment to Article III, section 12 of the Constitution of the State of South Dakota,  
3 relating to legislative conflicts of interest.

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
5 SOUTH DAKOTA, THE SENATE CONCURRING THEREIN:

6 Section 1. That at the next general election held in the state, the following amendment to  
7 Article III, section 12 of the Constitution of the State of South Dakota, as set forth in section  
8 2 of this Joint Resolution, which is hereby agreed to, shall be submitted to the electors of the  
9 state for approval.

10 Section 2. That Article III, section 12 of the Constitution of the State of South Dakota, be  
11 amended to read as follows:

12 § 12. No member of the Legislature shall, during the term for which ~~he was~~ elected, be  
13 appointed or elected to any civil office in the state which shall have been created, ~~or the~~  
14 ~~emoluments of which shall have been increased~~ during the term for which ~~he was~~ elected, nor  
15 shall any member receive any paid civil appointment from the Governor, the Governor and



1 senate, or from the Legislature during the term for which ~~he shall have been~~ elected, and all such  
2 appointments and all votes given for any such members for any such office or appointment shall  
3 be void; nor shall any member of the Legislature during the term for which ~~he shall have been~~  
4 elected, or within one year thereafter, be interested, directly or indirectly, in any contract with  
5 the state ~~or any county thereof~~, authorized by any law passed during the term for which ~~he shall~~  
6 ~~have been~~ elected. No member of the Legislature may be considered indirectly interested in any  
7 contract with the state merely by reason of being a teacher, coach, counselor, professor,  
8 administrator, service provider, or employee of any primary, secondary, or postsecondary school  
9 funded or partially funded by state appropriations or merely by reason of being an employee or  
10 salaried administrator of any hospital, nursing home, or other health care facility funded or  
11 partially funded by state appropriations.