



2025 South Dakota Legislature  
**House Bill 1169**  
**ENROLLED**

AN ACT

**ENTITLED An Act to modify the signature requirement for a petition to initiate a constitutional amendment.**

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

**Section 1. That § 2-1-1 be AMENDED:**

**2-1-1.** A measure proposed by initiative may be presented only by a petition signed by at least five percent of the qualified electors of the state.

An amendment to the South Dakota Constitution proposed by initiative may be presented only by a petition signed by qualified voters from each senatorial district, equal in number to at least five percent of the total votes cast for Governor in the senatorial district at the last gubernatorial election, provided that the total number of signatures on the petition equals at least ten percent of the total votes cast for Governor in the last gubernatorial election.

**Section 2. That § 2-1-1.1 be AMENDED:**

**2-1-1.1.** A petition sponsor shall file, in a physical and electronic format, a petition for an initiated amendment to the South Dakota Constitution, as it is to be circulated, with the secretary of state before the petition may be circulated and at least one year before the next general election at which the initiated amendment to the constitution is proposed to be submitted to the voters. The petition must:

- (1) Contain the full text of the initiated amendment in fourteen-point font;
- (2) Designate 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 individual 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 indicating 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 must approve the circulator handout for each initiated amendment to the Constitution before the petition is circulated.

A petition for an initiated amendment to the constitution may not be circulated more than twenty-four months before the general election that was designated pursuant to subdivision (1). Each sheet of the petition must indicate the senatorial district where the signatures were collected and may contain only signatures from that senatorial district. 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 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 promulgate rules, pursuant to chapter 1-26, prescribing the form of the affidavit and the requirements of the petition not otherwise specified by this section.

An Act to modify the signature requirement for a petition to initiate a constitutional amendment.

\_\_\_\_\_  
I certify that the attached Act originated in  
the:  
House as Bill No. 1169

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_,  
2025 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby  
approved this \_\_\_\_ day of  
\_\_\_\_\_, A.D., 2025

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2025  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1169  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State