

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

456B0368

HOUSE BILL NO. 1069

Introduced by: Representatives Weis, Dennert, Frye-Mueller, Gosch, Greenfield (Lana), Johnson (Chris), Livermont, Mulally, Perry, Peterson (Sue), Pischke, Randolph, Rasmussen, and St John and Senators DiSanto, Greenfield (Brock), Jensen (Phil), Novstrup, and Russell

1 FOR AN ACT ENTITLED, An Act to provide for the proper display and use of the state seal
2 by state agencies.

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

4 Section 1. That § 1-6-1 be amended to read:

5 1-6-1. There is ~~hereby~~ adopted as the official colored seal of the State of South Dakota, a
6 reproduction of the seal, described in article XXI, section 1 of the Constitution of the State of
7 South Dakota, and made in conformity with the Constitution. The proportions and colored detail
8 are set out ~~specifically~~ in accord with an original painting of the great seal produced by John G.
9 Moisan of Fort Pierre and shall be the basis for all reproductions of the great seal of the State
10 of South Dakota.

11 Any replica, facsimile, or reproduction of the state seal that is ~~greater than one inch in~~
12 ~~diameter and~~ used for an official purpose or a for-profit commercial use shall be a representation
13 of the full and complete seal based upon S.D. Const., Art. XXI, § 1, ~~and this section, and § 1-6-~~
14 2, and shall include the state motto "Under God The People Rule." Beginning January 1, 2020,



1 this requirement extends to the display and use of the state seal by each state agency, as defined
2 in § 1-24A-2.

3 ~~These requirements do~~ This requirements does not infringe upon or limit any artistic or
4 satirical use of the seal.

5 ~~The~~ If the secretary of state is notified that a violation of this section has occurred, the
6 secretary shall conduct an investigation for any violation of this section. If the secretary of state
7 ~~confirms~~ determines that a violation ~~has been committed~~ of this section has occurred, the
8 secretary ~~of state~~ shall issue a an order to cease and desist ~~letter~~.

9 Section 2. That § 1-6-2.1 be repealed.

10 ~~— 1-6-2.1. Any use of the state seal by a state agency after July 1, 2018, shall comply with S.D.~~
11 ~~Const., Art. XXI, § 1 and §§ 1-6-1 and 1-6-2. Any use of the seal existing prior to that date may~~
12 ~~continue to be used.~~