

## Policy Brief – Senate Bill 91

February 10, 2025

### OVERVIEW

SB 91 would strengthen South Dakota's ballot initiative process by increasing uniformity across petitions for initiated amendments to the Constitution, initiated measures, and referendums. SB 91 would allow petitions that are contained on a single sheet of standard 8.5x11 paper and increase petition transparency for signers. The Voter Defense Association of South Dakota supports SB 91.

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### DETAILS

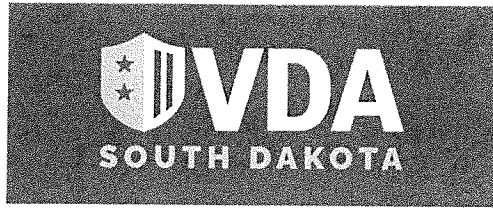
- Title: Revise the requirements for a petition to initiate a measure or constitutional amendment or to refer a law
- Sponsors: Senators Hulse (prime) and Perry.

### GOALS

- Align information on the petition with what voters will see on their ballot;
- Prevent voters from being misled into signing a petition; and
- Create a standardized format that allows for single-sheet petitions.

### STRUCTURE

- Removing the full text of an initiated ballot question from initiated amendment and initiated statute petitions and placing it on the statutorily required circulator handout for statutory and constitutional initiatives.
- Removing any relevant fiscal note from the circulator handout and adding it to the petition for statutory and constitutional initiatives.
- Adding the fiscal note and attorney general explanation to referendum petitions



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### ANALYSIS

- Moving the full initiative text to the circulator handout would allow for a standardized single-sheet petition (something that is currently impossible for initiatives with text longer than 1 page).
- Maintaining a circulator handout requirement, especially one that contains the full text of the initiative, gives voters more opportunity to review the proposed legislation.
- By including the attorney general explanation and fiscal note, the petition would mirror the information provided to voters on the ballot (the full text of an initiative does not appear on the ballot).
- Greater consistency between petitions would make it easier for voters to assess and understand the petition they are signing.
- By requiring a fourteen-point font for the petition information, SB 91 defers to existing policy.
- The existing process for reviewing proposed petitions and validating completed petitions could be streamlined for the Secretary of State; and
- While referendum petitions have substantive differences with constitutional and statutory initiative petitions, SB 91 would establish a more consistent overall system.

### VDA-SD

The Voter Defense Association of South Dakota is a nonpartisan political organization established in 2023. Our mission is to defend the ballot initiative rights of South Dakota voters and ensure that laws and regulations governing electoral processes in South Dakota are reasonable, fair, and transparent. We are registered with the South Dakota Secretary of State as a domestic nonprofit corporation.