

# State of South Dakota

## NINETY-THIRD SESSION LEGISLATIVE ASSEMBLY, 2018

346Z0114

SENATE JOINT RESOLUTION NO. \_\_\_\_\_

Introduced by: \_\_\_\_\_

1 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election  
2 an amendment to Article III, of the Constitution of the State of South Dakota, relating to  
3 legislative power by voter initiative.

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

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

10 Section 2. That Article III, section 1 of the Constitution of the State of South Dakota, be  
11 amended to read as follows:

12 § 1. The legislative power of the state shall be vested in a Legislature which shall consist of  
13 a senate and house of representatives. However, the people expressly reserve to themselves the  
14 right to propose measures, which shall be submitted to a vote of the electors of the state, and  
15 also the right to require that any laws which the Legislature may have enacted shall be submitted  
16 to a vote of the electors of the state before going into effect, except such laws as may be



1 necessary for the immediate preservation of the public peace, health or safety, support of the  
2 state government and its existing public institutions. Not more than five percent of the qualified  
3 electors of the state shall be required to invoke either the initiative or the referendum.

4 This section shall not be construed so as to deprive the Legislature or any member thereof  
5 of the right to propose any measure. The veto power of the Executive shall not be exercised as  
6 to measures referred to a vote of the people. No law adopted by a vote of the people by initiative  
7 may be amended or repealed except by a vote of the people unless otherwise provided in the  
8 initiated measure or by three-fourths of all the members of each house of the Legislature. This  
9 section shall apply to municipalities. The enacting clause of all laws approved by vote of the  
10 electors of the state shall be: "Be it enacted by the people of South Dakota." The Legislature  
11 shall make suitable provisions for carrying into effect the provisions of this section.