

# State of South Dakota

## NINETY-THIRD SESSION LEGISLATIVE ASSEMBLY, 2018

742Z0108

HOUSE BILL NO. \_\_\_\_\_

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

1 FOR AN ACT ENTITLED, An Act to create a citizen initiative review commission to review  
 2 initiated measures and initiated amendments to the Constitution and to prescribe the  
 3 commission's powers and duties.

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

5 Section 1. That chapter 12-1 be amended by adding a NEW SECTION to read:

6 The Citizen Initiative Review Commission shall be composed of eleven members appointed  
 7 by the State Board of Elections. At least two members but no more than four members of the  
 8 commission shall be current or former members of the Legislature. No current or former  
 9 member of the Legislature is qualified for appointment to the commission unless the member  
 10 has served at least two full terms in the Legislature. The members appointed to the commission  
 11 shall choose the chair of the commission who may not also be a current member of the  
 12 Legislature. Each appointment to the commission shall be for a period of four years except for  
 13 five of the initial members, who shall be appointed for two years. Not more than six of the  
 14 members may be from the same political party. No member of the commission may be affiliated  
 15 with any ballot measure to be considered by the commission under this Act. Any vacancy on the  
 16 commission shall be filled in the same manner as the original appointment. All members of the



1 commission shall file with the secretary of state an oath in the form prescribed by § 3-1-5.

2 Section 2. That chapter 12-1 be amended by adding a NEW SECTION to read:

3 The Office of the Secretary of State shall serve as the secretariat of the commission and shall  
4 assist the commission as may be requested by the commission.

5 Section 3. That chapter 12-1 be amended by adding a NEW SECTION to read:

6 The commission shall conduct at least one hearing to be held in Pierre for any initiated  
7 measure and initiated amendment to the Constitution that is certified for placement on the next  
8 general election ballot pursuant to § 2-1-17. During each hearing under this section the  
9 commission shall take testimony from the petition sponsor regarding the purpose of the initiated  
10 measure or initiated amendment and shall take public testimony. The commission may request  
11 testimony from the director of the Legislative Research Council regarding any questions from  
12 the members of the commission about the review and comment issued pursuant to § 12-13-25.  
13 After any hearing conducted under this section, the commission shall provide an objective  
14 written summary not to exceed three hundred words for each initiated measure or initiated  
15 amendment to the Constitution for purposes of being published on the website maintained by  
16 the Office of the Secretary of State.