

The South Dakota Legislature



The government of South Dakota, like the federal government, is divided into three distinct branches. The legislative branch makes the laws, the executive branch carries out the laws, and the judicial branch interprets the laws. This reference series will focus on the legislative branch and the process by which laws are made in South Dakota.

The South Dakota Legislature is bicameral, or composed of two bodies.

In South Dakota, the two bodies are the Senate and the House of Representatives. The South Dakota Constitution provides that the Senate shall consist of not fewer than 25 nor more than 35 members and the House shall consist of not fewer than 50 nor more than 75 members. Currently, the Senate has 35 members and there are 70 members of the House of Representatives.

The state is comprised of 35 legislative districts. Voters in each district elect one Senator and two Representatives. Every ten years, in accordance with the state constitution, the Legislature must redraw the boundaries of the legislative districts to reflect shifts in the state's population. This reapportionment process keeps the districts as equally populated as possible to ensure every state citizen receives equal representation.

As mandated in our state constitution, the Legislature meets annually at the seat of government, which is the state capitol in Pierre. The sessions begin every year on the second Tuesday in January at noon. The state constitution limits the length of these sessions. A regular legislative session is no longer than 40 legislative days. Legislative days do not include Sundays, holidays, or days when the Legislature is in recess.

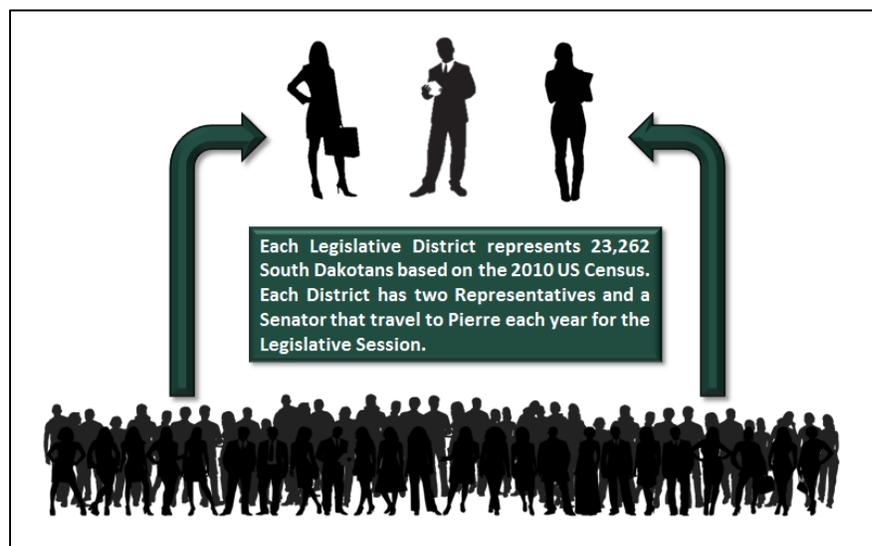
"The number of members of the House of Representatives shall not be less than fifty nor more than seventy-five and the number of members of the Senate shall not be less than twenty-five nor more than thirty-five."
(SD Constitution Article 3 § 2)

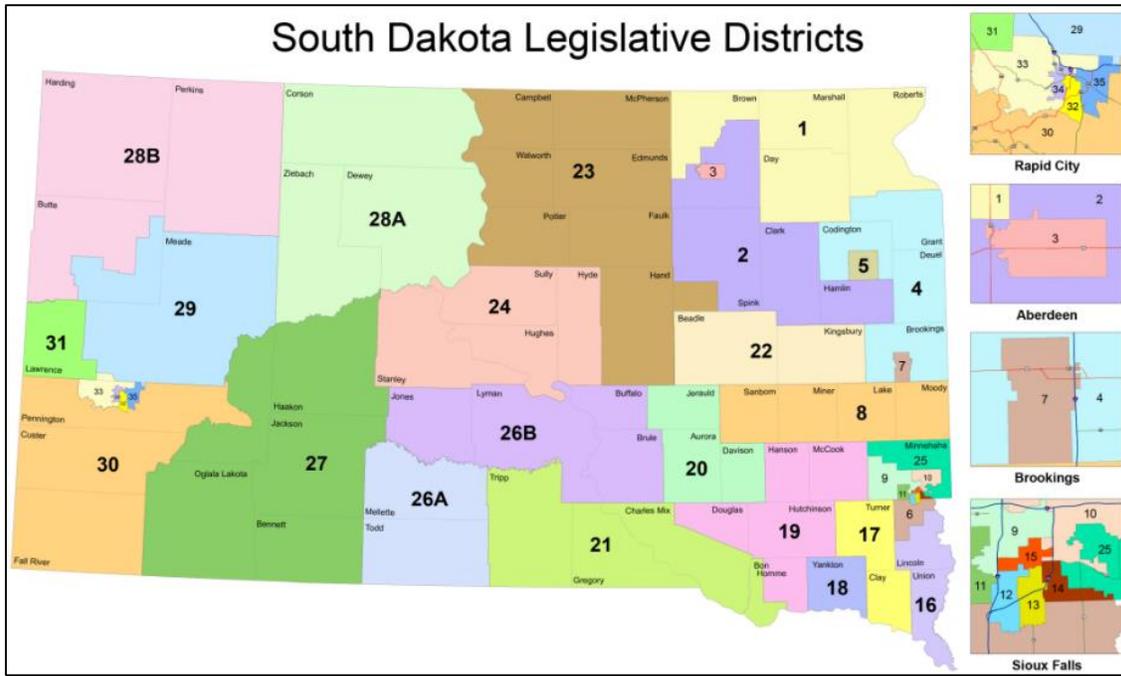
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In addition to these regular sessions, special sessions are held periodically when a need arises. The state constitution gives the Governor the right to convene a special session. The Legislature may also call itself into special session

when two-thirds of the members of each house petition for a special session.

The Legislature, in a special session on October 24, 2011, adopted a new redistricting plan for distribution of legislative seats based on the 2010 federal census figures. Each of the 35 Senate districts also constitute a congruent, dual member House





district, with one exception. Senate District 28 constitutes two house districts, House District 28A and House District 28B. The separate districts were created to protect minority voting rights. The average population of a legislative district in 2010 was 23,262 people. Since it is a practical and political impossibility to have every district consist of exactly the "ideal" number of inhabitants, the Legislature adopted an apportionment plan with variances. The Legislature redistricts every ten years using the new federal census figures.

The Legislature determined the legislative districts should be constituted, as nearly as practicable, in accordance with the following principles:

Adherence to standards of population deviance as established by judicial precedent and to standards of population deviance as prescribed by Article III, section 5, of the South Dakota Constitution;

Key Resources:
[South Dakota Constitution](#)
[Who are my Legislators](#)
[Legislative District Maps](#)

Key Terms:
bicameral
census
Constitution
district
House of Representatives
legislative day
Legislature
Representative
Senate
Senator
session
special session

- ◆ Protection of communities of interest by means of compact and contiguous districts;
- ◆ Respect for geographical and political boundaries; and
- ◆ Protection of minority voting rights consistent with the United States Constitution, the South Dakota Constitution, and federal statutes, as interpreted by the United States Supreme Court and other courts with jurisdiction

Did you know?

Prior to 1964, the Legislature only met in odd-numbered years for a period of sixty days.

The first woman elected to the Legislature was Gladys Pyle. She began serving in the House of Representatives in 1923.

