

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

493D0352

## HOUSE JOINT RESOLUTION NO. 1005

Introduced by: Representatives Koehn, Chicoine, Klaudt, Nachtigal, and Sutton (Duane) and  
Senators Kloucek and Staggers

1 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election  
2 an amendment to Article VI, section 7 of the Constitution of the State of South Dakota,  
3 relating to the rights of the accused.

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

6 Section 1. That at the next general election held in the state, the following amendment to  
7 Article VI, section 7 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 VI, section 7 of the Constitution of the State of South Dakota, be  
11 amended to read as follows:

12 § 7. In all criminal prosecutions the accused shall have the right to defend in person and by  
13 counsel; to demand the nature and cause of the accusation against him; to have a copy thereof;  
14 to meet the witnesses against him face to face; to have compulsory process served for obtaining  
15 witnesses in his behalf, ~~and~~; to a speedy public trial by an impartial jury of the county or district  
16 in which the offense is alleged to have been committed; and to argue the merits, validity, and

- 1 applicability of the law, including the sentencing laws.