

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

707N0034

## SENATE BILL NO. 3

Introduced by: Senators Gray, Hunhoff, Koetzle, Olson (Ed), and Peterson (Jim) and Representatives Dennert, Heineman, Pederson (Gordon), and Putnam at the request of the Constitutional Revision Commission

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the circulation and  
2 signing of initiative and referendum petitions and to provide a penalty for violation thereof.

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

4 Section 1. That § 2-1-10 be amended to read as follows:

5 2-1-10. Each person, who circulates and secures signatures to a petition to initiate ~~or submit~~  
6 a constitutional amendment or other measure or to refer legislation to the electors ~~any law~~  
7 ~~pursuant to S.D. Const., Art. III, § 1~~, shall sign a verification ~~of circulator~~ before filing the  
8 petition with the officer in whose office it is by law required to be filed. The verification shall  
9 prescribe that, to the best of the circulator's knowledge, each person signing the petition is a  
10 qualified voter of the state in the county indicated on the signature line and that no state statute  
11 regarding the circulation of petitions was knowingly violated. The State Board of Elections shall  
12 prescribe the form for the verification ~~of circulator~~. The verification ~~of circulator~~ shall be  
13 witnessed by a notary public commissioned in South Dakota or other officer authorized to  
14 administer oaths pursuant to § 18-3-1. Any person who falsely swears to the verification  
15 provided for in this section is guilty of a Class 1 misdemeanor.



1 Section 2. That § 2-1-6 be amended to read as follows:

2 2-1-6. Every person who is a qualified voter may sign a petition to ~~propose a measure~~  
3 initiate a constitutional amendment or other measure or ~~submit to refer~~ a law. ~~Whoever~~ If a  
4 person, knowing he or she is not a qualified voter of the state, signs a petition for initiation ~~or~~  
5 referendum of a constitutional amendment or other measure or for referral of legislation, ~~when~~  
6 ~~he is not a qualified voter of the state,~~ or if any person signs a name other than his or her own,  
7 that person is guilty of a Class 1 misdemeanor.