State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

616Z0099

SENATE BILL NO. _____

Introduced by: _____

FOR AN ACT ENTITLED, An Act to require petition circulators for certain ballot measures to provide the full text of the ballot measure to petition signers.

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

Section 1. That § 2-1-1.1 be amended to read:

2-1-1.1. The petition as it is to be circulated for an initiated ~~constitutional~~ amendment <u>to the Constitution</u> shall be filed with the secretary of state prior to circulation for signatures and shall:

(1) ~~Contain the full text of the initiated constitutional amendment;~~

~~(2)~~ Contain the date of the general election at which the initiated ~~constitutional~~ amendment is to be submitted;

~~(3)~~<u>(2)</u> Contain the title and explanation as prepared by the attorney general;

~~(4)~~<u>(3)</u> Be accompanied by a notarized affidavit form signed by each person who is a petition sponsor that includes the name and address of each petition sponsor; and

~~(5)~~<u>(4)</u> Be accompanied by a statement of organization as provided in § 12-27-6.

The petition circulator shall provide to each person who signs the petition a form containing the title and explanation of the initiated ~~constitutional~~ amendment <u>to the Constitution</u> as prepared by the attorney general; <u>the full text of the initiated amendment to the Constitution;</u>

any fiscal note prepared pursuant to § 2-9-31; the name, phone number, and email address of each petition sponsor; and a statement whether the petition circulator is a volunteer or paid petition circulator and, if a paid circulator, the amount the circulator is being paid. The form shall be approved by the secretary of state prior to circulation.

For any initiated ~~constitutional~~ amendment petition, no signature may be obtained more than twenty-four months preceding the general election that was designated at the time of filing of the full text. The initiated ~~constitutional~~ amendment petition shall be filed with the secretary of state at least one year before the next general election. A notarized affidavit form, signed by at least two-thirds of the petition sponsors, stating that the documents filed constitute the entire petition and to the best of the knowledge of the sponsors contains a sufficient number of signatures shall also be filed with the secretary of state. The form of the petition and affidavit shall be prescribed by the State Board of Elections.

Section 2. That § 2-1-1.2 be amended to read:

2-1-1.2. The petition as it is to be circulated for an initiated measure shall be filed with the secretary of state prior to circulation for signatures and shall:

(1) ~~Contain the full text of the initiated measure;~~

~~(2)~~ Contain the date of the general election at which the initiated measure is to be submitted;

~~(3)~~(2) Contain the title and explanation as prepared by the attorney general;

~~(4)~~(3) Be accompanied by a notarized affidavit form signed by each person who is a petition sponsor that includes the name and address of each petition sponsor; and

~~(5)~~(4) Be accompanied by a statement of organization as provided in § 12-27-6.

The petition circulator shall provide to each person who signs the petition a form containing the title and explanation of the initiated measure as prepared by the attorney general; the full text

of the initiated measure; any fiscal note prepared pursuant to § 2-9-31; the name, phone number, and email address of each petition sponsor; and a statement whether the petition circulator is a volunteer or paid petition circulator and, if a paid circulator, the amount the circulator is being paid. The form shall be approved by the secretary of state prior to circulation.

For any initiated measure petition, no signature may be obtained more than twenty-four months preceding the general election that was designated at the time of filing of the full text. The initiated measure petition shall be filed with the secretary of state at least one year before the next general election. A notarized affidavit form, signed by at least two-thirds of the petition sponsors, stating that the documents filed constitute the entire petition and to the best of the knowledge of the sponsors contains a sufficient number of signatures shall also be filed with the secretary of state. The form of the petition and affidavit shall be prescribed by the State Board of Elections.