



## 2020 South Dakota Legislature

# Senate Bill 102

Introduced by: **Senator Nesiba**

1 **An Act to provide certain procedures regarding the effect of initiated measures and**  
 2 **amendments.**

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

4 **Section 1.** That a NEW SECTION be added:

5 **2-14-16.3 Initiated Measures--Initiated Amendments--Conflict--Effect.**

6 If an initiated measure or initiated amendment to the Constitution is approved by  
 7 the voters at an election, and an act of the Legislature amends the same statute or  
 8 constitutional provision as the measure or amendment, the measure, amendment, or act  
 9 with the latest effective date shall be given effect. If the initiated measure or initiated  
 10 amendment to the Constitution amending the same statute or constitutional provision has  
 11 the same effective date as an act of the Legislature, the initiated measure or initiated  
 12 amendment shall be given effect.

13 If an initiated measure or initiated amendment to the Constitution approved by the  
 14 voters at an election amends a statute or constitutional provision that the Legislature has  
 15 repealed, the initiated measure or initiated amendment to the Constitution shall be given  
 16 effect over the repeal.