



2021 South Dakota Legislature
Senate Bill 77
ENROLLED

AN ACT

ENTITLED An Act to require certain font size for initiated measure petitions and constitutional amendment petitions.

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

Section 1. That § 2-1-1.2 be AMENDED.

2-1-1.2. Initiated measure--Petition--Contents--Signatures and filing.

The petition as it is to be circulated for an initiated measure shall be filed with the secretary of state, including an electronic copy of the petition as it is to be circulated, prior to circulation for signatures and shall:

- (1) Contain the full text of the initiated measure in fourteen-point font;
- (2) Contain the date of the general election at which the initiated measure is to be submitted;
- (3) Contain the title and explanation as prepared by the attorney general;
- (4) 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) Be accompanied by a statement of organization as provided in § 12-27-6.

Each 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; any fiscal note prepared pursuant to § 2-9-30; the name, phone number, and email address of each petition sponsor; 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. The petition form, as prescribed by the State Board of Elections, shall include the paid circulator identification number within the verification of any paid circulator.

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 sworn affidavit, 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 otherwise, including petition size and petition font size for ballot measure language not prescribed in this section, and the affidavit shall be prescribed by the State Board of Elections.

Section 2. That § 2-1-1.1 be AMENDED.

2-1-1.1. Initiated constitutional amendment--Petition--Contents--

Signatures and filing.

The petition as it is to be circulated for an initiated amendment to the Constitution shall be filed with the secretary of state, including an electronic copy of the petition as it is to be circulated, prior to circulation for signatures and shall:

- (1) Contain the full text of the initiated amendment in fourteen-point font;
- (2) Contain the date of the general election at which the initiated amendment is to be submitted;
- (3) Contain the title and explanation as prepared by the attorney general;
- (4) 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) Be accompanied by a statement of organization as provided in § 12-27-6.

Each petition circulator shall provide to each person who signs the petition a form containing the title and explanation of the initiated amendment to the Constitution as prepared by the attorney general; any fiscal note prepared pursuant to § 2-9-30; 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. The petition form, as prescribed by the State Board of Elections, shall include the paid circulator identification number within the verification of any paid circulator.

For any initiated 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 amendment petition shall be filed with the secretary of state at least one year before the next general election. A sworn affidavit, 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 otherwise, including petition size and petition font size for ballot measure language not prescribed in this section, and the affidavit shall be prescribed by the State Board of Elections.

Section 3. This Act shall be effective on November 10, 2021.

An Act to require certain font size for initiated measure petitions and constitutional amendment petitions.

I certify that the attached Act originated in
the:
Senate as Bill No. 77

Received at this Executive Office
this ____ day of _____,
2021 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this _____ day of
_____, A.D., 2021

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2021
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 77
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State