

Petition Circulator Requirements:

- ✓ Must be at least eighteen years of age and a resident of the state of South Dakota.
- ✓ Must personally witness each signature on the petition being circulated. The petition's verification must be completed following circulation and must include the circulator's printed name, residence address, city, state, complete date and be signed under oath before a South Dakota notary public or other officer authorized to administer oaths.
- ✓ Cannot be employed, rewarded or compensated based on the number of registered voters who signed the petitions. Can be employed at an hourly wage or salary.
- ✓ Must make a reasonable inquiry of each signer to determine that each signer is a qualified voter of the state and county indicated on the signature line.
- ✓ Must state under oath that no statute regarding petition circulation was knowingly violated.
- ✓ The verification shall be witnessed by a notary public commissioned in South Dakota or other officer authorized to administer oaths.
- ✓ The date, address, county of registration, and printed name may be added by the circulator prior to the petition being filed. Ditto marks may not be used.

Petition Signature Requirements:

When someone signs a petition:

- They must print their name legibly.
- The signature line must show the month and day it was signed.
- They must include their county of the signer's voter registration.
- They must be a registered voter, active or inactive, in the state of South Dakota in the jurisdiction for which the petition is circulated.
- Signers must sign their names as they are registered to vote or as they usually sign their names.
- Each signature line must show a complete residence address. This can be street and house number or rural route and box number in addition to the city or town.* Zip codes are optional.
- All petition signers for political party candidates must be registered voters of that party.

Tips for circulators: Signers may use numbers to designate the month and day. Common abbreviations used are acceptable (Jr, Sr, Ave, St, etc.). A voter may sign as many petitions for a particular office as there are positions to be filled.

*A signer in a first class municipality may not use a PO Box. The signer if, a resident of a second or third class municipality, may use a post office box number in lieu of a street address. Second and third class municipalities are those with less than 5,000 population. They would include all municipalities except the following which are first class municipalities: Aberdeen, Belle Fourche, Box Elder, Brandon, Brookings, Huron, Madison, Mitchell, Pierre, Rapid City, Sioux Falls, Spearfish, Sturgis, Vermillion, Watertown and Yankton. If the signer does not have a residence address or post office box number, a description of their residence location must be provided.

Secretary of State
Jason M. Gant

South Dakota Referendum Circulation



2012

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South Dakota Referendum Regulations and Procedures

History

South Dakota has the distinction of being the first state in the Union to provide for popular initiative and referendum for enacting and rejecting legislation. This was accomplished by constitutional amendment approved in 1898. These two forms of direct legislation, first used in 1908, rest on the theory that since the legislature may not always adequately represent them, the people should be able to pass laws they desire and nullify laws they oppose.

A Referendum is a petition to prevent a measure passed by the Legislature from becoming law. It must have signatures of registered voters equal to five percent (15,855) of the total vote for governor in the 2010 gubernatorial election and must be filed within 90 days of adjournment of the legislative session in which the measure was passed. Measures which may be necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions are not subject to referendum.

For laws passed during the 2012 Legislative Session, the deadline for submitting petitions shall be June 18th at 5:00 p.m. assuming the Legislature adjourns on March 19, 2012.

June 2012						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Getting Started

Once the petition is initially constructed, it must be sent to the Secretary of State for style and form approval. On this petition, the sponsor of the measure shall sign the petition and have the signature notarized. After approval by the Secretary of State, the petition may be circulated.

Attorney General explanations and comments are not required for the circulation of a referendum. The Attorney General's explanation is required for Initiated Measures and Initiated Constitutional Amendments.

Circulating the Petition

The full text of any petition to be circulated, the title, the effective date, the date of the general election in which the question is to be submitted, and the names and addresses of the petition sponsors shall be filed with the Secretary of State prior to circulation for signatures. No signatures obtained before that filing date will be counted.

Each petition sheet must be a self-contained sheet with the heading, instructions to signers, signature lines, and circulator's verification on a single sheet.

Two sheets of paper clipped or stapled together are not allowed.

No one may gather petition signatures within 100 feet of a polling place on the day of an election.

The text of the petition shall look similar to the following example:

Sample Layout of Petition Wording:

“ENTITLED, An Act to revise certain health insurance standards for patient protection. The effective date of SB 43 is July 1, 2011.”

General Information on Petition Requirements:

If photocopies are made of the originally signed petition sheet for circulation, the original petition sheet must be submitted with the photocopied sheets. Each petition sheet must be a self-contained sheet (One sheet of paper, front and back) with the heading, declaration of candidacy, instructions to signers, signature lines and circulator's verification on a single sheet.

Petitions for statewide ballot questions are filed with the Secretary of State. Petitions for county questions are filed with the county auditor.