

Version 2

REPRESENTATIVE STEVEN G. HAUGAARD, CHAIR | SENATOR BROCK L. GREENFIELD, VICE CHAIR  
JASON HANCOCK, DIRECTOR | SUE CICHOS, DEPUTY DIRECTOR | DOUG DECKER, CODE COUNSEL

500 EAST CAPITOL AVENUE, PIERRE, SD 57501 | 605-773-3251 | SDLEGISLATURE.GOV



May 17, 2019

Hon. Steve Barnett  
Secretary of State  
500 E. Capitol Avenue  
Pierre, SD 57501

RECEIVED

MAY 17 2019

S.D. SEC. OF STATE

Dear Secretary Barnett,

This office received an initiated constitutional amendment to require physical or monetary damage to an individual or an individual's property in order for conduct to be considered a violation of the law. The initiated constitutional amendment requires a fiscal note because it was determined that it may have an impact on revenues, expenditures, or fiscal liability of the state or its agencies and subdivisions. Because this office did not receive confirmation until March 18 (the email came in over the weekend when the office was closed) that the draft received from Mr. Breyfogle was a final draft, this fiscal note is within the 60-day limit established by law. SDCL 2-9-31 requires that said fiscal note be no longer than fifty "words." Therefore, numbers and percentages do not count against the fifty-word limit.

Enclosed is a copy of the initiated measure, in final form, that was submitted to this office. In accordance with SDCL 2-9-31, I hereby submit the Legislative Research Council's fiscal note with respect to this initiated constitutional amendment.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Hancock". The signature is fluid and cursive, with a large initial "J" and "H".

Jason Hancock  
Director

Enclosures

CC: Levi Breyfogle

## SOUTH DAKOTA LEGISLATIVE RESEARCH COUNCIL

## FISCAL NOTE

## INITIATED CONSTITUTIONAL AMENDMENT

---

AN INITIATED CONSTITUTIONAL AMENDMENT ALLOWING PEOPLE TO BUY, SELL,  
OR RENT ANY PROPERTY OR SERVICE

This constitutional amendment limits government's ability to regulate many activities, reducing licensing and fine revenues, but garners new tax revenues for activities such as drugs and prostitution. It also prevents the state from qualifying for federal Medicaid funding.

	Revenue	
	State	Local
General	\$21,232,085	\$0
Other	(\$103,183,104)	\$0
Federal	(\$578,918,152)	\$0
Property/Other	\$0	(\$9,044,364)

Expenditures		
Incarceration	(\$18,942,622)	(\$16,987,905)
Net Impact	(\$641,926,549)	\$7,943,541

RECEIVED  
MAY 17 2019  
S.D. SEC. OF STATE

Approved:  Date: 5/17/19  
Director, Legislative Research Council

---

Version 2

§ 30. Any person eighteen years of age or older may freely buy, sell, or rent any property or service owned by the person to any other willing person eighteen years of age or older. Any person eighteen years of age or older may freely possess, use, destroy, or modify any property owned by the person.

No public funds of this state, or any political subdivision of this state, may be expended for the implementation, regulation, or enforcement of any federal law, executive order, rule, or regulation regulating any case that is in violation of this amendment.

No personnel or property of this state, or any political subdivision of this state, may be utilized for the implementation, regulation, or enforcement of any federal law, executive order, rule, or regulation that is in violation of this amendment.