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SENATOR BROCK L. GREENFIELD, CHAIR | REPRESENTATIVE G. MARK MICKELSON, 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



RECEIVED

JAN 22 2018

S.D. SEC. OF STATE

January 19, 2018

Levi Breyfogle
Coming Freedom
508 7th St, Suite 101
Rapid City, SD 57701

Dear Mr. Breyfogle:

Pursuant to SDCL 12-13-25, this office is required to review each initiated amendment to the South Dakota Constitution. Further, this office is required by SDCL 12-13-24 to determine if each initiated amendment is written in clear and coherent manner in the style and form of other legislation and that it is worded so that the effect of the initiated amendment is not misleading or likely to cause confusion among voters. You are under no obligation to accept any of the suggestions contained in this letter, but please keep in mind the legal standards established in SDCL 12-13-24.

In your proposed initiated amendment, you use the term adult, which is not defined in the Constitution. We would suggest using the phrase "person eighteen years of age or older," which is consistent with the definition of "adult" in law.

Attached is a copy of your proposed constitutional amendment with our suggested style and form changes.

It has been determined during this review that this proposed initiated amendment to the Constitution may have an impact on revenues, expenditures, or fiscal liability of the state and its agencies and political subdivisions. Please provide the Legislative Research Council a copy of the amendment as submitted in final form to the Attorney General, so we can develop the required fiscal note.

This letter constitutes neither an endorsement of your initiated measure nor a guarantee of its sufficiency. It does constitute fulfillment of your responsibility pursuant to SDCL 12-13-25 to submit your draft to this office for review and comment. If you proceed with your initiated measure, please take care to ensure that your statements or advertising do not imply that this office endorses or approves your proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Hancock". The signature is written in a cursive, flowing style.

Jason Hancock
Director

JH:DO:ct

Enclosure

CC: The Honorable Shantel Krebs, Secretary of State
The Honorable Marty Jackley, Attorney General

As edited by LRC

BE IT ENACTED BY THE PEOPLE OF SOUTH DAKOTA:

That Article VI of the Constitution of the State of South Dakota be amended by adding a NEW SECTION to read as follows:

§ 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 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 in violation of this section. 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 in violation of this section.

Original Submission

State of South Dakota

FOR AN ACT ENTITLED, An Act ensuring people's basic rights to their property and services.

BE IT ENACTED BY THE PEOPLE OF SOUTH DAKOTA:

Section 1. Freedom to buy, sell, and rent

- a. Any adult may freely buy, sell, or rent any property or service owned by them to any other willing adult.
- b. Any adult may freely possess or modify any property owned by them.
- c. No public funds of this state, or any political subdivision of this state, shall be allocated to the implementation, regulation, or enforcement of any federal law, executive order, rule, or regulation in violation of this section.
- d. No personnel or property of this state, or any political subdivision of this state, shall be allocated to the implementation, regulation, or enforcement of any federal law, executive order, rule, or regulation in violation of this section.