INITIATED CONSTITUTIONAL AMENDMENT

Title: An initiated amendment to the South Dakota Constitution regarding initiated and referred measures.

Attorney General Explanation:

Currently, most laws enacted by the Legislature or a municipality may be referred to a vote of the people. Laws that cannot be referred are those necessary for public peace, health or safety, or for the support of government and its existing public institutions, including laws containing an emergency clause (with an immediate effective date). The amendment removes this restriction and permits referral of all laws except general appropriation bills.

Under the amendment, if an initiated or referred measure is approved by voters and becomes law, it cannot be repealed or amended by the Legislature for 7 years, except by a two-thirds vote of each legislative chamber. This restriction likewise applies to municipal governing bodies.

If the Legislature enacts certain laws changing the initiative, referendum, or constitutional amendment process, those laws must be referred.

The current Constitution establishes a minimum number of petition signatures required to propose a constitutional amendment: at least 10% of the total votes cast in the last governor's election. Under this amendment, that number becomes a maximum ("cap") instead.

Some of the amendment's provisions lack clarity and may conflict with existing state and federal election laws. Judicial or legislative clarification may be necessary.

Name of Sponsor(s):

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This circulator is a **Volunteer**.

Filed this ___16th___ day of
___June 2017___

Shantel Krebs

SECRETARY OF STATE