

CIRCULATING A STATEWIDE BALLOT QUESTION PETITION

1. A petition circulator is a person of at least eighteen years of age and a resident of the state of South Dakota.
 2. The petition circulator 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.
 3. Each petition signer must be a registered voter in the state of South Dakota in the jurisdiction for which the petition is circulated (SDCL 12-6-8).
 4. Signers must sign their names as they are registered to vote or as they usually sign their names.
 5. The signer's printed name must also appear.
 6. 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. If the signer is a resident of a second or third class municipality, a post office box number may be used in lieu of a street address. Second and third class municipalities are those with less than 5000 population. They would include all municipalities except the following which are first class municipalities:
Aberdeen, 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 the residence location must be provided.
7. Each signature line must show the month and day it was signed.
 8. Numbers to designate the month are permissible. Abbreviations commonly used are also acceptable.
 9. The county of the signer's voter registration must be included.

10. 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.
11. 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.
12. Circulators for statewide ballot measures cannot be employed, rewarded or compensated based on the number of registered voters who signed the petitions.
13. Circulators for statewide ballot measures 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.
14. Circulators for statewide ballot measures 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 pursuant to § 18-3-1.
15. The text to be circulated on any initiative or constitutional amendment petition must be submitted to the director of the legislative research council who will within 15 days provide written comments on the measure to the sponsors and the secretary of state (SDCL 12-13-25). This requirement does not apply to referred laws.
16. The full text of any petition to be circulated to put a question on the general election ballot complete with the date of the general election, a short title that will be used by the petition sponsors during the circulation process and the names and addresses of the petition sponsors shall be filed with the Secretary of State following receipt of written comments from the legislative research council and prior to circulation for signatures (SDCL 2-1-6.2). No signatures obtained before that filing date will be counted.
17. All sections of any completed petition shall be filed in the Secretary of State's office simultaneously together with a sworn affidavit prescribed by the State Board of Elections signed by two-thirds of the sponsors (SDCL 2-1-6.2).
18. A completed petition for an initiated constitutional amendment must be filed by November 2, 2009.

19. A petition containing signatures collected within one year after filing of the full text for an initiated measure must be filed by April 6, 2010.

20. A completed petition for a referred law must be filed within ninety days of adjournment of the legislative session in which the measure was passed.

21. State law prohibits a person from conducting petition signature gathering within 100 feet of a polling place on the day of an election.

Statistics

Fifty initiatives have been on the ballot. Eighteen of these have passed for a 36% success rate.

Forty-three laws have been referred with 36 of these being rejected for a 83.7% success rate.

Two hundred twenty-six constitutional amendments have been on the ballot. One hundred fourteen have been adopted for a 50.4% success rate. Thirteen of these proposed amendments were initiated by the people with five of these passing. The other 213 amendments were proposed by the legislature.

For additional information or petition forms, call Kea Warne, election supervisor, Secretary of State's office, 605-773-3537.

How To Circulate A Statewide Ballot Question Petition 2010



Chris Nelson
Secretary of State

Teresa J. Bray, Deputy Secretary of State
Kea Warne, Election Supervisor
State Capitol, 500 E. Capitol Avenue
Pierre, SD 57501-5070 * 605-773-3537
www.sdos.gov

