

# State of South Dakota

NINETIETH SESSION  
LEGISLATIVE ASSEMBLY, 2015

616W0612

## HOUSE JOINT RESOLUTION NO. 1004

Introduced by: Representatives Gibson, Bartling, Bordeaux, Feickert, Hawks, Hawley, Killer, Kirschman, McCleerey, Schoenfish, and Soli and Senators Hunhoff (Bernie), Frerichs, and Heinert

1 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election  
2 an amendment to Article III, section 5 of the Constitution of the State of South Dakota,  
3 relating to legislative redistricting.

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF SOUTH  
5 DAKOTA, THE SENATE CONCURRING THEREIN:

6 Section 1. That at the next general election held in the state, the following amendment to  
7 Article III, section 5 of the Constitution of the State of South Dakota, as set forth in section 2  
8 of this Joint Resolution, which is hereby agreed to, shall be submitted to the electors of the state  
9 for approval.

10 Section 2. That Article III, section 5 of the Constitution of the State of South Dakota, be  
11 amended to read as follows:

12 § 5. The Legislature shall ~~apportion its membership~~ provide for its redistricting by  
13 establishing, at appropriate times, a bipartisan redistricting commission composed of seven state  
14 citizens, one appointed by the house majority leader, one appointed by the house minority



1 leader, one appointed by the senate majority leader, and one appointed by the senate minority  
2 leader. The first four appointees shall jointly select three other state citizens. No member of this  
3 commission may be a current state legislator. This commission shall apportion the legislative  
4 body by dividing the state into as many single-member, legislative districts as there are to be  
5 state senators. House districts shall be established wholly within senatorial districts and shall  
6 be either single-member or dual-member districts as the Legislature shall determine. Legislative  
7 districts shall consist of compact, contiguous territory and shall have population as nearly equal  
8 as is practicable, based on the last preceding federal census. An apportionment Counties and  
9 cities shall be made whole in a district whenever possible. A redistricting shall be made by the  
10 Legislature in 1983 and in 1991 this commission in 2021, and every ten years after 1991 2021.  
11 Such apportionment redistricting shall be accomplished by December first of the year in which  
12 the apportionment redistricting is required. If any Legislature commission whose duty it is to  
13 make an apportionment shall fail to make the same a redistricting fails to do so as herein  
14 provided, it shall be the duty of the Supreme Court, within ninety days to, shall make such  
15 apportionment the redistricting.