

A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election an amendment to Article III, section 5, of the Constitution of the State of South Dakota to clarify the responsibility of the Legislature to provide for its own apportionment.

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

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

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

§ 5. The Legislature shall apportion its membership by dividing the state into as many single-member, legislative districts as there are state senators. House districts shall be established wholly within senatorial districts and shall be either single-member or dual-member districts as the Legislature shall determine. Legislative districts shall consist of compact, contiguous territory and shall have population as nearly equal as is practicable, based on the last preceding federal census. An apportionment shall be made by the Legislature in 2001, and every ten years after 2001. Such apportionment shall be accomplished by December first of the year in which the apportionment is required. If any Legislature whose duty it is to make an apportionment shall fail to make the same as herein provided, it shall be the duty of the Supreme Court within ninety days to make such apportionment. However, if any federal or state court invalidates, in whole or in part, an apportionment made by the Legislature, the Legislature, meeting in regular or special session, shall make a new apportionment as prescribed by federal and state constitutional and statutory law or court order.

An Act to Proposing and submitting to the electors at the next general election an amendment to Article III, section 5, of the Constitution of the State of South Dakota to clarify the responsibility of the Legislature to provide for its own apportionment.

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I certify that the attached  
Resolution originated in the  
  
HOUSE as Joint Resolution No.  
1007

\_\_\_\_\_  
Chief Clerk  
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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

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STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State

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House Joint Resolution No. 1007  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_