

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

825T0023

## HOUSE BILL NO. 1113

Introduced by: Representatives Hansen (Jon), Abdallah, Conzet, Hickey, Jensen, Kirkeby, Nelson (Stace), Stricherz, Tornow, Turbiville, Venner, and Wick and Senators Brown, Begalka, Lederman, Peters, Rhoden, Tidemann, and Tieszen

1 FOR AN ACT ENTITLED, An Act to prohibit the use of certain public resources to influence  
2 the outcome of elections.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 12-27-20 be amended to read as follows:

5 12-27-20. The state, an agency of the state, and the governing body of a county,  
6 municipality, or other political subdivision of the state may not expend or permit the  
7 expenditure of public funds or permit the usage of its telecommunications systems, electronic  
8 devices, office equipment, office supplies, postage, or vehicles for the purpose of influencing  
9 the nomination or election of any candidate, or for the petitioning of a ballot question on the  
10 ballot or the adoption or defeat of any ballot question. This section may not be construed to limit  
11 the freedom of speech of any officer or employee of the state or such political subdivisions in  
12 his or her personal capacity. This section does not prohibit the use of public facilities and  
13 equipment for forums or debates. This section does not prohibit the state, its agencies, or the  
14 governing body of any political subdivision of the state from presenting factual information



1 solely for the purpose of educating the voters on a ballot question.