

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

816T0504

SENATE STATE AFFAIRS

ENGROSSED NO. **HB 1196** - 2/22/2012

Introduced by: Representatives Rozum, Boomgarden, Brunner, Deelstra, Fargen, Haggar, Hawley, Kirkeby, Munsterman, Rausch, Solum, Street, and Turbiville and Senators Krebs, Haverly, Hundstad, Kraus, Maher, Peters, Rampelberg, Sutton, and Tieszen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning lobbyists.

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

3 Section 1. That § 2-12-4 be amended to read as follows:

4 2-12-4. Each lobbyist or employer shall file with the secretary of state, within ten days after
5 the date of registration, a written or electronic authorization ~~to act as such, signed by his~~
6 employer for a person to act as a lobbyist for an employer. The format for the authorization shall
7 be prescribed by the secretary of state.

8 Section 2. That § 2-12-11 be amended to read as follows:

9 2-12-11. On or before July first of each year, each registered lobbyist and each employer of
10 a registered lobbyist whose name appears in the directory in that year shall submit to the
11 secretary of state a complete and detailed report of all costs incurred for the purpose of
12 influencing legislation. The report shall be submitted in writing or electronically in a format
13 prescribed by the secretary of state. However, the personal expenses of the lobbyist spent upon



1 the lobbyist's own meals, travel, lodging, phone calls or other necessary personal needs while
2 in attendance at the legislative session need not be reported. ~~The reports shall be personally~~
3 ~~sworn to by the person making the report in the presence of a notary public. The secretary of~~
4 ~~state shall prescribe concise and simple forms for reporting costs and expenses for lobbyists and~~
5 ~~the employers of lobbyists.~~ The completed reports shall be open to public inspection. The terms,
6 costs, and expenses, as used in this section do not mean the compensation paid by the employer
7 to the lobbyist.

8 Any lobbyist expense report filed pursuant to this section is exempt from the ten dollar filing
9 fee prescribed in subdivision 1-8-10(2).

10 If a person has been authorized to act as a lobbyist on behalf of an employer pursuant to § 2-
11 12-4, but the lobbyist does not conduct any lobbying activities pursuant to § 2-12-1 nor acts in
12 any manner as a lobbyist in connection with representing that employer, a report is not required
13 to be filed under this chapter.

14 The secretary of state may impose an administrative penalty for the failure to timely file the
15 report required by this section. The secretary of state may impose a penalty on a registered
16 lobbyist or employer of a registered lobbyist for each report not timely filed not to exceed a total
17 of one hundred dollars per report not timely filed. Any administrative penalty collected pursuant
18 to this section shall be deposited in the general fund.