

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

571Z0204

HOUSE STATE AFFAIRS ENGROSSED NO. **SB 77** - 3/5/2018

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Nesiba, Bolin, Frerichs, Heinert, Kennedy, Killer, and Otten (Ernie) and Representatives Reed, Ahlers, Campbell, McCleerey, Peterson (Kent), Willadsen, and Wismer

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding information provided
2 to ballot question committees.

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

4 Section 1. That § 12-27-19 be amended to read:

5 12-27-19. Before making a contribution to a ballot question committee pursuant to § 12-27-
6 18, an entity shall provide to the ballot question committee the following:

7 (1) The name or fictitious name of the entity;

8 (2) The mailing address of the entity's office;

9 (3) The name and mailing address of each owner, director, and officer of the entity;

10 (4) The committee name the contribution was given to, the date, and the amount of the
11 contribution; and

12 (5) The name and mailing address of the person authorizing the contribution.

13 These requirements do not apply to any donated goods or services.



1 Before contributing more than ten thousand dollars in the aggregate to a ballot question
2 committee pursuant to § 12-27-18, an entity shall provide to the ballot question committee a
3 sworn written statement made by the president and treasurer of the entity declaring and
4 affirming, under the penalty of perjury, the following:

5 (1) The name and street address of every person who owns ten percent or more of the
6 entity, has provided ten percent or more of the entity's gross receipts, including
7 capital contributions, in the current or preceding year, or has provided ten percent or
8 more of the funds being contributed to the ballot question committee; and

9 (2) That no part of the contribution was raised or collected by the entity for the purpose
10 of influencing the ballot question.

11 A ballot question committee shall disclose in its applicable campaign financial disclosure
12 statement or supplement statement all information received from any entity pursuant to this
13 section. No ballot question committee may accept any contribution from any entity not preceded
14 or accompanied by the statements required by this section. Except as provided by § 22-29-1,
15 violation of this section is a Class 2 misdemeanor. A subsequent offense within a calendar year
16 is a Class 1 misdemeanor.