

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

546A0182

SENATE BILL NO. 29

Introduced by: The Committee on Local Government at the request of the State Board of
Elections

1 FOR AN ACT ENTITLED, An Act to establish a fine for using voter registration information
2 for any commercial purpose or economic gain.

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

4 Section 1. That chapter 12-4 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Except as authorized in this title, no person may obtain or use voter registration information
7 compiled pursuant to chapter 12-4 for any commercial purpose or economic gain. Use for a
8 commercial purpose or economic gain does not include use of voter registration information for
9 campaign or other political purposes.

10 Any person who violates this section is liable to the county for liquidated damages in the
11 amount of five thousand dollars. These liquidated damages and taxable costs may be collected
12 by the county auditor in a civil suit brought on behalf of the county against the person claimed
13 to be liable for damages. The county auditor shall deposit the moneys collected for liquidated
14 damages and taxable costs in the county general fund.

15 The judgment may be collected by an agent. Fees to agents authorized to collect on a

1 judgment under this section may not exceed fifty percent of the total amount collected. The
2 collection fees may be deducted from the moneys collected when remitted if approved by the
3 county auditor or the collection fees may be paid on warrants drawn by the county auditor and
4 submitted simultaneously with the moneys collected.