

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

617H0608

HOUSE BILL NO. 1238

Introduced by: Representatives Nesselhuf, Begalka, Brown (Richard), Hargens, and Kooistra
and Senators Hutmacher, Apa, Greenfield, Putnam, Reedy, and Whiting

1 FOR AN ACT ENTITLED, An Act to require a pre-election campaign financing statement of
2 candidates for legislative office.

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

4 Section 1. That § 12-25-13 be amended to read as follows:

5 12-25-13. Any candidate or candidate's committee for any state office or for any legislative
6 office at any general or primary election and any political action committee or political party
7 committee shall file with the secretary of state on the last Tuesday prior to any election a detailed
8 statement, complete through the tenth day prior to the election, of all valuable considerations
9 received, obligated or paid by the candidate or committee or by persons authorized by the
10 candidate or committee. The statement shall itemize all contributions and expenditures and shall
11 include the name, residence address and place of employment of any person who has contributed
12 an aggregate amount of more than one hundred dollars or the equivalent thereof in that calendar
13 year. However, with regard to political action committees, the statement shall include the name
14 of any political action committee that contributed any amount. However, a county political party
15 committee need not file a pre-primary report. Also, if a candidate has no primary opposition ~~in~~



1 ~~his primary~~, neither ~~he nor his~~ the candidate nor the candidate's committee need to file a
2 pre-primary report. By February first of each calendar year, any candidate or committee shall file
3 a detailed statement for the preceding year or the remainder of the calendar year in the manner
4 provided in this section. All reports filed pursuant to this section shall be consecutive and, taken
5 together, shall cover the entire year's receipts and expenditures. A report postmarked on or
6 before the date due is properly filed.

7 A violation of this section by a candidate or committee treasurer is a Class 2 misdemeanor.

8 Section 2. That § 12-25-13.3 be amended to read as follows:

9 12-25-13.3. Any candidate or candidate's committee for county ~~or legislative~~ office at any
10 general or primary election shall make and file by July first and December thirty-first of the
11 election year a detailed statement of all valuable considerations received, obligated, or paid by
12 the candidate or committee or by persons authorized by the candidate or committee. The
13 statement shall itemize all contributions and expenditures received or incurred since the last
14 report filed pursuant to this section and shall include the name, residence address, and place of
15 employment of any person who has contributed an aggregate amount of more than one hundred
16 dollars or the equivalent thereof in that calendar year. However, with regard to political action
17 committees, the statement shall include the name of any political action committee that
18 contributed any amount. However, a county political party committee need not file a pre-primary
19 report. Also, if a candidate has no primary opposition ~~in his primary~~, neither ~~he nor his~~ the
20 candidate nor the candidate's committee need to file a pre-primary report. A candidate or
21 candidate's committee shall file a termination statement following disposition of all funds and
22 payment of all obligations.

23 Candidates or committees for county offices shall file with the county auditor. ~~Legislative~~
24 ~~candidates or committees shall file with the secretary of state.~~ A violation of this section by a

1 candidate or committee treasurer is a Class 2 misdemeanor.