



2024 South Dakota Legislature

House Bill 1239

Introduced by: **Representative** Soye

1 **An Act to provide for the dissemination of a facsimile of a ballot and to prohibit the**
 2 **dissemination of incorrect or misleading election information.**

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

4 **Section 1. That a NEW SECTION be added to chapter 12-16:**

5 If a person disseminates a facsimile of a ballot as part of campaign material
 6 requiring disclosure or statement pursuant to chapter 12-27, the facsimile must be
 7 identical to the sample ballot posted by a county auditor, as required by § 12-16-16.

8 For the purposes of this section, the term "campaign material" means any literature
 9 or publication that is disseminated for the purposes of influencing a voter to vote for or
 10 against a particular ballot question or candidate for public office at a primary or other
 11 election. The term does not include a news item or an editorial comment published by the
 12 news media.

13 A violation of this section is a Class 2 misdemeanor.

14 **Section 2. That a NEW SECTION be added to chapter 12-26:**

15 No person may knowingly and purposely disseminate information pertaining to the
 16 conduct of an election that is incorrect, misleading, or indicates that the information is
 17 from an official source.

18 A violation of this section is a Class 2 misdemeanor.