AN ACT

ENTITLED, An Act to authorize the secretary of state to promulgate rules concerning lobbyist registration fees, to impose a penalty for the failure to timely file lobbyist or lobbyist employer reports, and to repeal certain provisions concerning lobbyists who fail to comply with certain requirements.

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

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

2-12-3. Each lobbyist who registers and is employed pursuant to this chapter shall pay to the secretary of state an annual registration fee for each employer represented by the lobbyist. The secretary of state shall promulgate rules pursuant to chapter 1-26 to set the fee for lobbyist registration. The annual registration fee for a lobbyist may not exceed sixty-five dollars. The annual registration fee shall be deposited in the general fund.

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

2-12-11. On or before July first of each year, each registered lobbyist and each employer of a registered lobbyist whose name appears in the directory in that year shall submit to the secretary of state a complete and detailed report of all costs incurred for the purpose of influencing legislation. However, the personal expenses of the lobbyist spent upon the lobbyist's own meals, travel, lodging, phone calls or other necessary personal needs while in attendance at the legislative session need not be reported. The reports shall be personally sworn to by the person making the report in the presence of a notary public. The secretary of state shall prescribe concise and simple forms for reporting costs and expenses for lobbyists and the employers of lobbyists. The completed reports shall be open to public inspection. The terms, costs, and expenses, as used in this section do not mean the compensation paid by the employer to the lobbyist.

Any lobbyist expense report filed pursuant to this section is exempt from the ten dollar filing fee

prescribed in subdivision 1-8-10(2).

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

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

Section 3. That § 2-12-12 be repealed.

An Act to authorize the secretary of state to promulgate rules concerning lobbyist registration fees, to impose a penalty for the failure to timely file lobbyist or lobbyist employer reports, and to repeal certain provisions concerning lobbyists who fail to comply with certain requirements.

I certify that the attached Act originated in the

SENATE as Bill No. 109

_____
Secretary of the Senate

_____
President of the Senate

Attest:

_____
Secretary of the Senate

_____
Speaker of the House

Attest:

_____
Chief Clerk

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State

Senate Bill No. 109
File No. ____
Chapter No. _____