



2023 South Dakota Legislature
Senate Bill 207
ENROLLED

AN ACT

ENTITLED An Act to provide a penalty for the expenditure of public funds to influence the outcome of an election.

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

Section 1. That § 12-27-20 be AMENDED:

12-27-20. The state, an agency of the state, and the governing body of any county, municipality, or other political subdivision of the state may not expend or permit the expenditure of public funds for the purpose of influencing the nomination or election of any candidate, or for the petitioning of a ballot question on the ballot or the adoption or defeat of any ballot question. This section may not be construed to limit the freedom of speech of any officer or employee of the state or any political subdivision who is speaking in the officer's or employee's personal capacity. This section does not prohibit the state, its agencies, or the governing body of any political subdivision of the state from presenting factual information solely for the purpose of educating the voters on a ballot question.

It is a Class 1 misdemeanor if the state, an agency of the state, or the governing body of any county, municipality, or other political subdivision expends one thousand or more in public funds in violation of this section. It is a Class 6 felony if ten thousand or more in public funds is expended in violation of this section.

An Act to provide a penalty for the expenditure of public funds to influence the outcome of an election.

I certify that the attached Act originated in
the:
Senate as Bill No. 207

Received at this Executive Office
this ____ day of _____,
2023 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this _____ day of
_____, A.D., 2023

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2023
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 207
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State