

AN ACT

ENTITLED, An Act to provide for annually updated financial interest statements for any person elected to statewide or local office.

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

Section 1. That § 3-1A-2 be amended to read:

3-1A-2. Any person who assumes the Office of Governor, lieutenant governor, state treasurer, attorney general, secretary of state, state auditor, commissioner of school and public lands, Public Utilities Commissioner, Supreme Court justice, circuit court judge, or state legislator shall, not more than fifteen days after the person assumes office and then not later than the first day of January of every year the person continues to hold the office, file a statement of financial interest setting forth any additions or corrections to any previous statement of financial interest filed pursuant to § 12-25-28 or 12-25-29.

Section 2. That § 3-1A-4 be amended to read:

3-1A-4. Any person who assumes the office of a county commissioner, school board member of a school district with a total enrollment of more than two thousand students, or commissioner, councilman, or mayor in municipalities of the first class, shall, not more than fifteen days after the person assumes office and then not later than the first day of January of every year the person continues to hold the office, file a statement of financial interest setting forth any additions or corrections to any previous statement of financial interest filed pursuant to § 12-25-30.

Section 3. That § 12-25-28 be amended to read:

12-25-28. Any candidate for the United States Senate, the United States House of Representatives, Governor, circuit court judge, or the Legislature shall file a statement of financial interest with the secretary of state not more than fifteen days after filing the candidate's nominating petitions. Any Supreme Court justice shall file a statement of financial interest with the secretary of

state not more than fifteen days following notice to the secretary of state of the justice's intention to place the justice's name on the retention ballot. A violation of this section is a petty offense. Any intentional violation of this section is a Class 2 misdemeanor.

Section 4. That § 12-25-29 be amended to read:

12-25-29. Any candidate for lieutenant governor, state treasurer, attorney general, secretary of state, state auditor, public utilities commissioner, or commissioner of school and public lands shall file a statement of financial interest with the secretary of state not more than fifteen days after the candidate's nomination is certified. A violation of this section is a petty offense. Any intentional violation of this section is a Class 2 misdemeanor.

Section 5. That § 12-25-30 be amended to read:

12-25-30. Any candidate for county commissioner, school board member in a school district with a total enrollment of more than two thousand students, or commissioner, council member, or mayor in any first class municipality, shall file a statement of financial interest with the office at which the candidate's nominating petitions are filed not more than fifteen days after filing the candidate's nominating petitions or, if otherwise nominated, not more than fifteen days after the candidate's nomination is certified. Any violation of this section is a petty offense. An intentional violation of this section is a Class 2 misdemeanor.

Section 6. That § 12-25-27 be amended to read:

12-25-27. Terms as used in this chapter mean:

- (1) "Any member of the individual's immediate family," a spouse or minor children living at home;
- (2) "Close economic interest," any enterprise that, in the calendar year preceding the filing of any statement of financial interest under this chapter, contributes more than ten percent of or more than two thousand dollars to the gross income of the family, including the

individual required to file the statement and any member of the individual's immediate family. The term also includes any enterprise in which the individual or any member of the individual's immediate family controls more than ten percent of the capital or stock;

- (3) "Enterprise," any business or economic relationship;
- (4) "Statement of financial interest," a description of the type of financial activity and the nature of the association with any enterprise as defined in this section.

Section 7. That § 3-1A-1 be amended to read:

3-1A-1. Terms used in this chapter mean:

- (1) "Any member of the individual's immediate family," a spouse or minor children living at home;
- (2) "Close economic interest," any enterprise that, in the calendar year preceding the filing of any statement of financial interest under this chapter, contributes more than ten percent of or more than two thousand dollars to the gross income of the family, including the individual required to file the statement and any member of the individual's immediate family. The term also includes any enterprise in which the individual or any member of the individual's immediate family controls more than ten percent of the capital or stock;
- (3) "Enterprise," any business or economic relationship;
- (4) "Statement of financial interest," a description of the type of financial activity and the nature of the association with any enterprise as defined in this section.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1165

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1165
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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

Governor

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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