

AN ACT

ENTITLED, An Act to revise certain provisions regarding ballot question committees.

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

Section 1. That subdivision (2) of § 12-27-1 be amended to read:

- (2) "Ballot question committee," a person or entity that raises, collects, or disburses contributions for the placement of one or more ballot questions on the ballot or the adoption or defeat of one or more ballot questions. A ballot question committee is not a person or political committee that makes a contribution to a ballot question committee. A ballot question committee is not an entity that makes a contribution to a ballot question committee from treasury funds;

Section 2. That § 12-27-18 be amended to read:

12-27-18. An entity may make a contribution to a ballot question committee organized solely for the purpose of influencing an election on one or more ballot questions and may make independent communication expenditures regarding the placement of one or more ballot questions on the ballot or the adoption or defeat of one or more ballot questions. Any entity making expenditures, equal to or exceeding fifty percent of the entity's annual gross income, for the adoption or defeat of one or more ballot measures is a ballot question committee. A violation of this section is a Class 2 misdemeanor. A subsequent offense within a calendar year is a Class 1 misdemeanor.

Section 3. That § 12-27-22 be amended to read:

12-27-22. A campaign finance disclosure statement shall be submitted to the secretary of state.

The treasurer of each:

- (1) Candidate or candidate campaign committee for any statewide office shall file a pre-primary, pre-general, year-end, and, if applicable, supplemental report and amendments in even numbered years. In odd numbered years shall file a year-end and, if applicable,

amendments. A termination report may be submitted at any time;

- (2) Candidate or candidate campaign committee for a legislative or county office shall file a pre-primary if the candidate's name appears on the primary election ballot, pre-general, year-end and, if applicable, supplemental report and amendments in even numbered years.

A termination report may be submitted at any time;

- (3) Statewide political action committee shall file a pre-primary, pre-general, year-end, and, if applicable, supplemental report and amendments in even numbered years. In odd numbered years shall file a year-end or, if applicable, amendments. A termination report may be submitted at any time;

- (4) Statewide political party shall file a pre-primary, pre-general, year-end and, if applicable, supplemental report and amendments in even numbered years. In odd numbered years shall file a year-end or amendments, if applicable. A termination report may be submitted at any time. A political party that loses its status as a qualified party shall file a termination statement by 5:00 p.m. central time the last Friday in January following the calendar year in which qualified party status was lost;

- (5) County political party and auxiliary organization shall file a pre-general and, if applicable, supplemental report and amendments in even numbered years. A termination report may be submitted at any time; and

- (6) Statewide ballot question committee shall file a pre-primary, pre-general, year-end and, if applicable, supplemental report and amendments in even numbered years. In odd numbered years shall file a year-end and, if applicable, amendments. A termination report may be submitted at any time. If a statewide ballot question committee does not list any activity on the next required campaign finance report submitted to the secretary of state, that committee has until the next reporting period to report activity. If that committee does

not have any activity to report by the next reporting period, the committee shall submit a termination report by that reporting period deadline.

A campaign finance disclosure statement shall be submitted to the secretary of state by the treasurer of each committee who shall file the following financial disclosure reports in accordance with the time frames stated in this chapter: pre-primary, pre-general, year-end, amendment, supplemental, and a termination when a committee is terminating its existence.

A violation of this section is a Class 2 misdemeanor. A subsequent offense within a calendar year is a Class 1 misdemeanor.

An Act to revise certain provisions regarding ballot question committees.

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I certify that the attached Act
originated in the
SENATE as Bill No. 128

\_\_\_\_\_  
Secretary of the Senate
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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 128  
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