

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

544B0055

SENATE BILL NO. 114

Introduced by: Senators Nesiba, Foster, Kennedy, and Wismer and Representatives Sullivan, Cwach, Duba, Healy, Lesmeister, McCleerey, and Smith (Jamie)

1 FOR AN ACT ENTITLED, An Act to attribute campaign contributions by certain minors to
2 their parents.

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

4 Section 1. That § 12-27-7 be amended to read:

5 12-27-7. A statewide candidate or the candidate's campaign committee may accept
6 contributions during any calendar year as follows:

7 (1) Not to exceed four thousand dollars from a person, unless the person is the candidate
8 or a member of the candidate's immediate family, in which case contributions may
9 be made without limit;

10 (2) Not to exceed four thousand dollars from an entity;

11 (3) Without limit from a political action committee;

12 (4) Without limit from a political party; and

13 (5) Without limit from a candidate campaign committee.

14 Any contribution from a ballot question committee is prohibited. Any contribution from a
15 person who is an unemancipated minor shall be deducted from the total contribution permitted



1 under this section by the unemancipated minor's custodial parent or parents. A violation of this
2 section is a Class 2 misdemeanor. A subsequent offense within a calendar year is a Class 1
3 misdemeanor.

4 Section 2. That § 12-27-8 be amended to read:

5 12-27-8. A legislative or county candidate or the candidate's campaign committee may
6 accept contributions during any calendar year as follows:

- 7 (1) Not to exceed one thousand dollars from a person, unless the person is the candidate
8 or a member of the candidate's immediate family, in which case contributions may
9 be made without limit;
- 10 (2) Not to exceed one thousand dollars from an entity;
- 11 (3) Without limit from a political action committee;
- 12 (4) Without limit from a political party; and
- 13 (5) Without limit from a candidate campaign committee.

14 Any contribution from a ballot question committee is prohibited. Any contribution from a
15 person who is an unemancipated minor shall be deducted from the total contribution permitted
16 under this section by the unemancipated minor's custodial parent or parents. A violation of this
17 section is a Class 2 misdemeanor. A subsequent offense within a calendar year is a Class 1
18 misdemeanor.

19 Section 3. That § 12-27-9 be amended to read:

20 12-27-9. A political action committee may accept contributions during any calendar year as
21 follows:

- 22 (1) Not to exceed ten thousand dollars from a person;
- 23 (2) Not to exceed ten thousand dollars from an entity;
- 24 (3) Without limit from a political action committee;

- 1 (4) Without limit from a political party;
- 2 (5) Without limit from a candidate campaign committee; and
- 3 (6) Not to exceed ten thousand dollars from a ballot question committee.

4 Any contribution from a person who is an unemancipated minor shall be deducted from the
5 total contribution permitted under this section by the unemancipated minor's custodial parent
6 or parents. A violation of this section is a Class 2 misdemeanor. A subsequent offense within
7 a calendar year is a Class 1 misdemeanor.

8 Section 4. That § 12-27-10 be amended to read:

9 12-27-10. A political party may accept contributions during any calendar year as follows:

- 10 (1) Not to exceed ten thousand dollars from a person;
- 11 (2) Not to exceed ten thousand dollars from an entity;
- 12 (3) Without limit from a political action committee;
- 13 (4) Without limit from a political party; and
- 14 (5) Without limit from a candidate campaign committee.

15 Any contribution from a ballot question committee is prohibited. Any contribution from a
16 person who is an unemancipated minor shall be deducted from the total contribution permitted
17 under this section by the unemancipated minor's custodial parent or parents. A violation of this
18 section is a Class 2 misdemeanor. A subsequent offense within a calendar year is a Class 1
19 misdemeanor.

20 Section 5. That § 12-27-11 be amended to read:

21 12-27-11. No person, entity, candidate, or political committee may give or accept a
22 contribution unless the name, mailing address, city and state of the contributor is made known
23 to the person, entity, candidate, or political committee receiving the contribution. In addition
24 to any other information to be made known under this section, the name of the custodial parent

1 or parents of an unemancipated minor who makes a contribution shall be made known. Any
2 contribution, money, or other thing of value received by a candidate or political committee from
3 an unknown source shall be donated to a nonprofit charitable entity. A violation of this section
4 is a Class 2 misdemeanor. A subsequent offense within a calendar year is a Class 1
5 misdemeanor.