



2025 South Dakota Legislature

House Bill 1264

Introduced by: **Representative Roby**

1 **An Act to require the disclosure of an outstanding loan balance on a campaign**
 2 **finance disclosure report.**

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

4 **Section 1. That § 12-27-24 be AMENDED:**

5 **12-27-24.** A campaign finance disclosure report ~~shall~~ must include the following
 6 information:

- 7 (1) The political committee name, mailing address, telephone number, and, if
 8 applicable, e-mail address;
- 9 (2) Name, mailing address, telephone number, and, if applicable, an e-mail address,
 10 if any, of the political committee's treasurer;
- 11 (3) ~~The type of campaign report (pre-primary, pre-general, year-end, amendment,~~
 12 ~~supplement, or termination)~~ Whether the campaign report is a pre-primary, pre-
 13 general, year-end, amendment, supplement, or termination report;
- 14 (4) For any ballot question committee, the ballot question name and whether the
 15 committee supports or opposes the ballot question;
- 16 (5) The balance of cash and cash equivalents on hand at the beginning of the reporting
 17 period;
- 18 (6) The total amount of all contributions received during the reporting period;
- 19 (7) The total amount of any donated good or service received during the reporting
 20 period;
- 21 (8) The total of refunds, rebates, interest, or other income not previously identified
 22 during the reporting period;
- 23 (9) The total of expenditures made during the reporting period;
- 24 (10) The cash balance on hand as of the close of the reporting period;
- 25 (11) All contributions of one hundred dollars or less ~~shall either~~ must be aggregated and
 26 reported as a lump sum or the contributions ~~shall~~ must be listed individually;

- 1 (12) The name, mailing address, city, and state of each person making a contribution
- 2 of more than one hundred dollars in the aggregate during any calendar year and
- 3 the amount of the contribution. Any contribution from an entity after July 1, 2017,
- 4 or from a political committee~~shall~~ must be itemized. Any contribution from a
- 5 federal political committee or a political committee organized outside this state
- 6 ~~shall~~ must also include the name and website address of the filing office where
- 7 campaign finance disclosure reports are regularly filed for the committee. If any
- 8 information required by the section is unknown to the political committee, the
- 9 political committee may not deposit the contribution;
- 10 (13) Any donated good or service contribution~~shall~~ must contain the same information
- 11 as for any monetary contribution, and~~shall~~ must also include a description of the
- 12 donated good or service contribution;
- 13 (14) Any monetary or donated good or service contribution made by a political
- 14 committee to any political committee or nonprofit charitable entity~~shall~~ must be
- 15 itemized;
- 16 (15) A categorical description and amount of any refunds, rebates, interest, sale of
- 17 property, or other receipts not previously identified during the reporting period;
- 18 (16) A categorical description and amount of any funds or donations by any entity to its
- 19 political committee for establishing and administering the political committee and
- 20 for any solicitation costs of the political committee;
- 21 (17) Each loan received~~shall~~ must be reported in the same manner as a contribution;
- 22 (18) The outstanding balance of each loan received;
- 23 ~~(19)~~ (20) Each loan repayment~~shall~~ must be reported in the same manner as an
- 24 expenditure;
- 25 ~~(19)(20)~~ Any expenditure made during the reporting period~~shall~~ must be categorized as
- 26 disbursements and itemized by expense categories. A miscellaneous expense
- 27 category is prohibited. Any contribution made by the political committee that is not
- 28 in exchange for any item of value or service~~shall~~ must be itemized;
- 29 ~~(20)(21)~~ The amount of any independent communication expenditure from a political
- 30 committee made during the reporting period,~~and lists~~ listing the name of the
- 31 candidate, public office holder, or ballot question related to the independent
- 32 communication expenditure and a description of the independent communication
- 33 expenditure;
- 34 ~~(21)(22)~~ AFor a ballot question committee~~shall provide,~~ the information contained in
- 35 any statement provided pursuant to § 12-27-19; and

1 ~~(22)~~(23) A certification that the contents of the statement are true and correct signed
2 by the treasurer of the political committee.

3 **Section 2. That § 12-27-29 be AMENDED:**

4 **12-27-29.** The treasurer of a political committee shall maintain and preserve
5 detailed and accurate records of the following:

6 (1) Each contribution received by the political committee. Any contribution of one
7 hundred dollars or less ~~shall~~ must be noted on the political committee's books and
8 a running total of each contributor ~~shall~~ must be maintained;

9 (2) Each donated good or service contribution received by the political committee.
10 Upon request of the treasurer, any person making a donated good or service
11 contribution ~~shall~~ must provide all necessary information to the treasurer, including
12 the value of the contribution;

13 (3) In the case of a ballot question committee, the information required by § 12-27-
14 19 for any entity contribution;

15 (4) Each loan received or made by the political committee;

16 (5) The outstanding balance of each loan received by the political committee;

17 (6) Each refund, rebate, interest, or other income received by the political committee;

18 ~~(6)~~(7) All receipts, invoices, bills, canceled checks, or other proofs of payment, with an
19 explanation of each, for each expenditure; and

20 ~~(7)~~(8) The name and address of any financial institution where an account or depository
21 for the political committee is maintained including the account number.

22 The treasurer shall maintain and preserve the records for a period of seven years
23 or three years past the date of filing the termination statement for the election for which
24 the contribution or expenditure was made, whichever is earlier. A violation of this section
25 is a Class 2 misdemeanor. Any subsequent offense within a calendar year is a Class 1
26 misdemeanor.