

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

285Z0824

HOUSE BILL NO. 1282

Introduced by: Representatives Jamison, Ahlers, Beal, Campbell, Goodwin, Haugaard, Jensen (Kevin), Marty, McCleerey, Reed, Smith, and Willadsen and Senators Novstrup, Kolbeck, and Stalzer

1 FOR AN ACT ENTITLED, An Act to provide certain notice requirements regarding out-of-
2 state contributions to ballot question committees.

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

4 Section 1. That chapter 12-27 be amended by adding a NEW SECTION to read:

5 If any ballot question committee receives any contribution from a person who is not a
6 resident of this state, a political committee that is organized in a state other than this state, or
7 any other entity that is not filed as a domestic entity with the secretary of state for the four years
8 preceding a contribution, the ballot question committee shall include a clear and conspicuous
9 disclaimer that says "Paid for in-part with out-of-state money" in any public communication,
10 which includes any broadcast, cable, or satellite transmission; any communication in a
11 newspaper or magazine; outdoor advertising, including any billboard; any mass mailing
12 consisting of five hundred pieces or more; any telephone bank consisting of five hundred calls
13 or more; and any other public political advertising, including brochures.

14 If the ballot question committee fails to provide a clear and conspicuous disclaimer on any



1 public communication pursuant to this section, the ballot question committee is subject to a civil
2 penalty of not more than five thousand dollars per occurrence to be imposed by the secretary of
3 state and deposited into the general fund.