

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

834Z0134

SENATE BILL NO. 7

Introduced by: Senators Youngberg and Greenfield (Brock) and Representatives Stevens and Johns at the request of the Government Accountability Task Force

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning campaign finance
2 limits.

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. If a contributor is a person or an entity, no candidate for statewide office or the~~
6 ~~candidate's campaign committee may accept any contribution that in the aggregate exceeds four~~
7 ~~thousand dollars during any calendar year. A candidate campaign committee may only accept~~
8 ~~contributions from any candidate campaign committee, political action committee, entity,~~
9 ~~person, or political party. The limitation on any contribution from a person in this section does~~
10 ~~not apply to any contribution by the candidate or the candidate's immediate family~~ A statewide
11 candidate or the candidate's campaign committee may accept contributions during any calendar
12 year as follows:

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



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

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

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

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

5 Any contribution from a ballot question committee is prohibited. A violation of this section
6 is a Class 2 misdemeanor. A subsequent offense within a calendar year is a Class 1
7 misdemeanor.

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

9 ~~12-27-8. If the contributor is a person or entity, no candidate for legislative or county office~~
10 ~~or the candidate's campaign committee may accept any contribution that in the aggregate~~
11 ~~exceeds one thousand dollars during any calendar year. A candidate campaign committee may~~
12 ~~only accept contributions from any candidate campaign committee, person, entity, political~~
13 ~~action committee, or political party.~~

14 ~~—The limitation on any contribution from a person in this section does not apply to any~~
15 ~~contribution by the candidate or the candidate's immediate family~~ A legislative or county
16 candidate or the candidate's campaign committee may accept contributions during any calendar
17 year as follows:

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

21 (2) Not to exceed one thousand dollars from an entity;

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

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

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

1 Any contribution from a ballot question committee is prohibited. A violation of this section
2 is a Class 2 misdemeanor. A subsequent offense within a calendar year is a Class 1
3 misdemeanor.

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

5 ~~12-27-9. If the contributor is a person or an entity, no political action committee may accept~~
6 ~~any contribution that in the aggregate exceeds ten thousand dollars during any calendar year. If~~
7 ~~the contributor is a ballot question committee, no political action committee may accept any~~
8 ~~contribution that in the aggregate exceeds ten thousand dollars during any calendar year. A~~
9 ~~political action committee may also accept unlimited contributions from any candidate~~
10 ~~campaign committee, political action committee, or political party~~ A political action committee
11 may accept contributions during any calendar year as follows:

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

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

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

21 ~~12-27-10. If the contributor is a person or an entity, no political party may accept any~~
22 ~~contribution that in the aggregate exceeds ten thousand dollars during any calendar year. A~~
23 ~~political party may accept unlimited contributions from any candidate campaign committee,~~
24 ~~political action committee, or political party~~ A political party may accept contributions during

1 any calendar year as follows:

2 (1) Not to exceed ten thousand dollars from a person;

3 (2) Not to exceed ten thousand dollars from an entity;

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

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

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

7 Any contribution from a ballot question committee is prohibited. A violation of this section
8 is a Class 2 misdemeanor. A subsequent offense within a calendar year is a Class 1
9 misdemeanor.

10 Section 5. That § 12-27-18 be amended to read:

11 12-27-18. An entity may make ~~a contribution to a ballot question committee organized~~
12 ~~solely for the purpose of influencing an election on a ballot question and may make independent~~
13 communication expenditures regarding the placement of a ballot question on the ballot or the
14 adoption or defeat of a ballot question. Any entity making expenditures, equal to or exceeding
15 fifty percent of the entity's annual gross income, for the adoption or defeat of a ballot measure
16 is a ballot question committee. An entity may create a political action committee. A violation
17 of this section is a Class 2 misdemeanor. A subsequent offense within a calendar year is a Class
18 1 misdemeanor.

19 Section 6. That § 12-27-18.1 be amended to read:

20 12-27-18.1. A ballot question committee may accept unlimited contributions from a ~~person;~~
21 ~~entity, or political committee;~~

22 (1) Person;

23 (2) Entity that complies with § 12-27-19;

24 (3) Political action committee;

- 1 (4) Political party;
- 2 (5) Candidate campaign committee; and
- 3 (6) Ballot question committee.