

# FINANCIAL INTEREST STATEMENTS

- Required for 1<sup>st</sup> Class Municipalities and Schools with greater than 2,000 average daily membership (ADM)
- There are two types:
  - **Candidate (SDCL 12-25-28)**
    - Filed within 15 days after filing nominating petition.
    - Appointed official would not need to fill this out.
  - **Elected Official (SDCL 3-1A-4)**
    - Filed within 15 days of being elected.
- Sample forms can be found at [www.sdsos.gov](http://www.sdsos.gov)
- These are filed with the person in charge of the election.



## CANDIDATE Statement of Financial Interest

**Who files:** All candidates for *State and Federal office* (US Senate and House of Representatives, Governor, circuit court judge, the State Legislature and a Supreme Court Justice; SDCL 12-25-28); *Convention nominees* (Lieutenant Governor, State Treasurer, Attorney General, Secretary of State, State Auditor, Public Utilities Commissioner and Commissioner of School and Public Lands; SDCL 12-25-29); and candidates for *Local Office* (County Commissioner, School Board Member in a school district with a total enrollment of more than 2,000 students or Commissioner, Council Member or Mayor in 1<sup>st</sup> Class Municipalities; SDCL 12-25-30).

**Deadline to file:** Within 15 days after filing nominating petitions (Supreme Court Justice files within 15 days of notifying Secretary of State of his intention to place his name on the retention ballot) or certification of convention nomination.

**File with:** The Secretary of State except local candidates file with the office where they file their nominating petition.

**Please print:**

Full Name \_\_\_\_\_

Complete Address \_\_\_\_\_

Office Sought (*list District number if applicable*) \_\_\_\_\_

What is your occupation/profession? \_\_\_\_\_

List any **enterprise** (any business or economic relationship) which accounted for **more than 10%** of or contributed **more than \$2,000** to your family's (*includes spouse, minor children living at home*) **gross income** in the preceding calendar year or an enterprise in which you or an immediate family member(s) **controls more than 10%** of the capital or stock. Identify who receives the income from each enterprise but do not include the value. (SDCL 12-25-27)

Name of Candidate or Family Member	Name of Enterprise	Enterprise Relationship (Ex: employee, officer, director, associate, shareholder, member, partner, proprietor, etc.)

I declare under the penalties of perjury that the information above has been examined by me and to the best of my knowledge and belief is a true, correct and complete representation of my financial interests for the preceding calendar year.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)





## ELECTED OFFICIAL Statement of Financial Interest

**Who files:** All Elected Officials for *State office* (Governor, Lieutenant Governor, State Treasurer, Attorney General, Secretary of State, State Auditor, Public Utilities Commissioner and Commissioner of School and Public Lands, Supreme Court Justice, circuit court judge and State Legislator; SDCL 3-1A-2); *Gubernatorial appointees* (for whom Senate confirmation is required; SDCL 3-1A-3); and Elected officials in *Local Office* (County Commissioner, School Board Member in a school district with a total enrollment of more than 2,000 students or Commissioner, Council Member or Mayor in 1<sup>st</sup> Class Municipalities; SDCL 3-1A-4).

**Deadline to file:** Within 15 days after assuming office.

**File with:** The Secretary of State except local candidates file with the office where they file their oath of office.

**Please print:**

Full Name \_\_\_\_\_

Complete Address \_\_\_\_\_

Office Sought (list District number if applicable) \_\_\_\_\_

What is your occupation/profession? \_\_\_\_\_

**\*\*If there are no changes from your previously filed CANDIDATE Financial Interest Statement check the box and sign and date below.**

**NO Changes**

List any enterprise (any business or economic relationship) which accounted for more than 10% of or contributed more than \$2,000 to your family's (includes spouse, minor children living at home) gross income in the preceding calendar year or an enterprise in which you or an immediate family member(s) controls more than 10% of the capital or stock. Identify who receives the income from each enterprise but do not include the value. (SDCL 3-1A)

Name of Candidate or Family Member	Name of Enterprise	Enterprise Relationship (Ex: employee, officer, director, associate, shareholder, member, partner, proprietor, etc.)

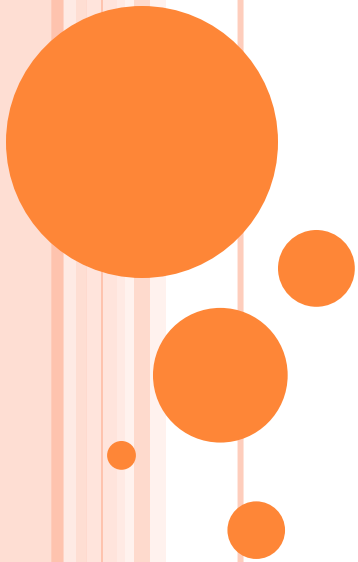
I declare under the penalties of perjury that the information above has been examined by me and to the best of my knowledge and belief is a true, correct and complete representation of my financial interests for the preceding calendar year.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)



QUESTIONS?



# CAMPAIGN FINANCE

SDCL 12-27

## WHO IS REQUIRED TO FILE?

- ONLY Ballot Question Committees in 1<sup>st</sup> Class Municipalities
- ONLY School district offices and ballot questions in school districts with ADM greater than 2,000.
- Any other municipality or school that has ordinances in place outlining the campaign finance laws they will follow.
- Sample forms and campaign finance information can be found at [www.sdsos.gov](http://www.sdsos.gov)
  - Statement of Organization for Local Jurisdictions
  - Disclosure Statement for Local Jurisdictions
    - Within this disclosure is suggested filing dates for reports



# Statement of Organization- Local Jurisdictions

SDCL 12-27-6

The Treasurer for a political action or ballot question committee shall file a statement of organization not later than 15 days after the date upon which the committee made contributions, received contributions, or paid expenses in excess of \$500.00. However, if such activity falls within 30 days of any statewide election, the statement of organization shall be filed within 48 hours. A candidate shall file a statement of organization for a candidate campaign committee not later than 15 days after becoming a candidate (SDCL 12-27-3; 12-27-23).

Contact your local election official to make sure this is the required form they want you to use.

Those local jurisdictions that are required to file campaign finance documents (12-27-39):

- County offices and ballot questions in counties with population greater than five thousand
- Ballot questions in first class municipalities
- School district offices and ballot questions in school districts with more than two thousand average daily membership

### Committee Type *(you must select one):*

- County Candidate Committee    County Political Action Committee (PAC)    County Ballot Question Committee
- Municipal Candidate Committee    Municipal Political Action Committee (PAC)    Municipal Ballot Question Committee
- School Board Candidate Committee    School District Political Action Committee (PAC)
- School District Ballot Question Committee

### Committee Information

*(ALL fields required unless indicated otherwise, please print):*

→ only ONE candidate campaign committee may be organized for each candidate (SDCL 12-27-1 (3)) ←

Full Name of Committee \_\_\_\_\_

If you are a Candidate, list your name below as it appears on your nominating petition and the office you are seeking.

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Postal Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Committee website address *(optional)* \_\_\_\_\_

**Chair** *(Candidate can serve as Chair of their Committee)*

*(first and last name)* \_\_\_\_\_

Daytime Phone Number \_\_\_\_\_ Evening Phone Number \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Postal Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email Address \_\_\_\_\_

Check this box if Chair is also serving as Treasurer. If the same, you are not required to fill out Treasurer fields below.

*\*The Treasurer is responsible for filing all campaign finance reports and forms.*

**Treasurer\*** *(first and last name)* \_\_\_\_\_

Daytime Phone Number \_\_\_\_\_ Evening Phone Number \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Postal Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email Address \_\_\_\_\_





## Local Jurisdictions Campaign Finance Disclosure Statement

[SDCL 12-27](#)

This statement is filed with your local election official. Contact them for additional information or if you need assistance with filling out this document.

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Those local jurisdictions that are required to file campaign finance documents ([12-27-39](#)):

- County offices and ballot questions in counties with population greater than five thousand
  - Ballot questions in first class municipalities
  - School board positions and ballot questions in school districts with more than two thousand average daily memberships
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### Committee Information (required) (*please print*):

Full Name of Committee \_\_\_\_\_

If you are a Candidate, list name as it appears on your nominating petition and what office you are seeking.

Type of Committee \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Postal Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Treasurer Daytime Phone Number \_\_\_\_\_

Treasurer Evening Phone Number \_\_\_\_\_

Treasurer Email Address \_\_\_\_\_

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If you are a **Ballot Question Committee**, indicate which measure the committee was involved with during the reporting period and whether the measure was supported or opposed.

Ballot Measure Number (*if has been assigned*): \_\_\_\_\_ Support  Oppose

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**Choose the Type of Campaign Statement you are filing on page two.**



## Type of Campaign Statement *(you must select one)*

### COUNTY candidates *select one of these reports:*

- Pre-Primary:** filed by the 2<sup>nd</sup> Friday prior to the Primary. The reporting period is from January 1 through the Monday before the deadline.
- Post-Primary** *(non-winner):* filed by the 2<sup>nd</sup> Friday of August after the Primary. The reporting period would be from the last report filed to the deadline date.
- Pre-General:** filed by the 2<sup>nd</sup> Friday prior to the General. The reporting period would be from the last report filed through 15 days prior to the General Election.
- Year-End:** filed by the 1<sup>st</sup> Monday in February. The reporting period would from the last report filed through December 31.
- Termination of Committee:** filed whenever you choose. The reporting period is from the last report filed to the date you are terminating. The balance has to end in zero and you must report all expenditures and receipts and pay off all outstanding loans, debt and obligations since your last filed report.

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### COUNTY SPECIAL elections and LOCAL JURISDICTION elections *select one of these reports:*

- Pre-Election report:** filed by the 2<sup>nd</sup> Friday prior to the election date. The reporting period is from the Statement of Organization date through the fifteenth day prior to the election.
- Year-End report:** filed by first Monday in February of the year following the election. The reporting period is from the last filing date to December 31. If you terminate prior to December 31, you do not need to file a Year-End.
- Termination report:** filed whenever you choose. The reporting period is from the last report filed to the date you are terminating. The balance has to end in zero and you must report all expenditures and receipts and pay off all outstanding loans, debt and obligations since your last filed report.

You may also select one of the reports below in combination with a report above:

- Amendment *(for most recent report filed)*
- Termination of Committee

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The following verification must be **signed by the Treasurer** before submitting the report ([SDCL 12-27-24 \(29\)](#))

I \_\_\_\_\_ (print name legibly), certify that I have examined this report and to the best of my knowledge and belief it is true, correct and complete. I also understand that failure to timely file any statement, amendment, or correction required subjects the Treasurer responsible for filing to a civil penalty of fifty dollars per day for each day that the statement remains delinquent ([SDCL 12-27-30](#)). The civil penalty shall be in addition to any criminal sanctions.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Treasurer



# CAMPAIGN FINANCE

## ADVERTISING DISCLAIMER

- Only those committees in those jurisdictions that have to comply with campaign finance have to use a disclaimer
- The disclaimer must be on printed material or communication made by a political committee or political party.
- "Paid for by (Name of candidate, political committee, or political party)."
- Small impractical items are exempt.
  - Buttons, balloons, pins, pens, matchbooks, clothing, etc.



# CAMPAIGN FINANCE

## GOVERNMENT RESTRICTIONS

- A city or school may not spend public funds for the purpose of influencing an election ([SDCL 12-27-20](#)).
- No candidate, political committee, or political party may accept any contribution from any state, state agency, political subdivision of the state, foreign government, Indian tribe, federal agency, or the federal government ([SDCL 12-27-21](#)).

## WHO IS RESPONSIBLE FOR ENFORCING CAMPAIGN FINANCE LAWS?

- State's Attorney ([SDCL 12-27-40](#))



QUESTIONS?

