

# County Political Party Campaign Finance FAQs

## [SDCL Chapter 12-27](#)

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State law does require the county central committee to certify the name and mailing address of the county chairperson to the county auditor and also requires the name and address of the county officer responsible for the records and reports required pursuant chapter 12-27 and the name and address of the county chairperson to be certified to the secretary of state.

[Chapter 12-27](#) requires a statement of organization to be submitted to our office designating the committee chairperson and the committee treasurer. **State law also requires the treasurer to submit an updated statement of organization to the Secretary of State not later than fifteen days after any change in the information contained on the most recently filed statement of organization.** The treasurer listed on the statement of organization is the person required by law to submit the changes to the statement of organization and the person responsible for the campaign finance reports. The treasurer cannot remove her/his name as the committee treasurer, without an updated statement of organization submitted indicating a new treasurer.

SDCL 12-5-14. County central committee--Composition--Organization--Certification of party officials. The precinct committeemen and the precinct committeewomen of each political party; the state committeemen and committeewomen; the county chairperson, vice-chairperson, and secretary-treasurer or secretary and treasurer; and the elected public officers who reside in the county and other officers as designated by the party's constitution or bylaws, constitute the county central committee of their respective parties. They shall form their party organization by electing a county chairperson and other officers as determined by the party's constitution or bylaws. The name and mailing address of the county chairperson shall be certified to the county auditor immediately following the election of the county chairperson or change of the county chairperson. The name and mailing address of the county officer responsible for the records and reports required **pursuant to** chapter 12-27 shall be certified to the secretary of state immediately following the election. The name and mailing address of the state party chairperson shall be certified to the secretary of state immediately following the election or appointment of the state party chairperson.

### **Any political party may:**

- Make unlimited contributions to any candidate, political committee or political party.
- Make independent expenditures and electioneering communications.
- Accept contributions from individuals, candidates, PACs, and political parties.

### **What Needs To Be Reported?**

- Aggregate contributions received from individuals of \$100.01 or more in a calendar year shall be itemized and include name, residence address and amount of contribution.
- Contributions received from individuals of \$100.00 or less must be reported but need not be itemized.
- All contributions of any amount from Federal, out-of-State or South Dakota political action committees (PAC's) must be itemized.
- All contributions of any amount from Political Party committees must be itemized.
- Expenditures may be categorized by expense type.
- All contributions from your committee to another candidate or committee must be itemized.

- Outstanding debts, obligations and unpaid bills at the end of the reporting period must be itemized.
- Organization costs for establishing and administering a political action committee.
- Loans and Loan repayments.

### Any person may:

- Make contributions to any candidate, political action committee, ballot question committee or political party.  
The following limits apply during any calendar year:
  - County candidate \$1,000
  - Legislative candidate: \$1,000
  - Statewide candidate: \$4,000
  - Political Action Committee: \$10,000
  - Political Party \$10,000
  - Ballot Question Committee: No limit
- There is no limit to the amount any candidate or the candidate's immediate family may contribute to that candidate campaign committee.
- Make an independent expenditure for/against a candidate, public officer holder, ballot question, or political party. If the total cost for the independent expenditure is \$100 or more the person must file a disclosure Statement within 48 hours.

Note: If a person raises, collects or disburses contributions to influence the outcome of an election and is not simply making a contribution to a political committee or political party, that person is a considered a political action committee and is required to registered as such with the Secretary of State and must follow the campaign finance disclosure reporting requirements.

### Any political action committee may:

- Make unlimited contributions to any candidate, political committee, or political party.
- Make independent expenditures and electioneering communications.
- Accept contributions from individuals, candidates, organizations, PACs, and political parties.

### Any candidate campaign committee may:

- Make unlimited contributions to any candidate, political committee or political party.
- Make independent expenditures and electioneering communications.
- Accept contributions from individuals, candidate, PACs, and political parties.

### All candidates, political committees and political parties must:

Display or clearly speak the statement: "Paid for by (Name of political action committee)" on any printed material or communication. This disclaimer is not required on buttons, balloons, pins, pens, matchbooks, clothing, or similar small items upon which the inclusion of the statement would be impracticable ([SDCL 12-27-15](#)).

### Types of Unlimited Contributions:

- Individuals can contribute to an unlimited number of political committees and political parties in amounts up to the contribution limit set in law for each committee or party.
- Political committees and political parties can contribute to an unlimited number of candidates or committees.
- There is no limit to the amount any candidate, political committee, or political party can contribute to any other candidate, political committee, or political party.
- There is no limit to the amount a candidate or the candidate's immediate family may contribute to that candidate's campaign committee.

## When are Disclosure Statements Due? (SDCL 12-27-22)

The pre-election (Primary and/or General) statement must be received by the Secretary of State and filed by 5:00 p.m. on the second Friday prior to each primary and general election complete through the fifteenth day prior to that election.

A candidate for any statewide or legislative office whose name appears on the primary ballot but does not appear on the general election ballot shall file a campaign finance disclosure statement or termination report with the Secretary of State by 5:00 p.m. on the second Friday of August following that primary election. (Post-primary non-winner)

The year-end statement must be received by the Secretary of State and filed by 5:00 p.m. each February on the first Monday in February. This must include information from the end of the last filed report through the last day of the preceding calendar year.

A supplemental statement must be filed if any candidate campaign committee for Statewide office, political action committee, ballot question committee, or political party receives a contribution of five hundred dollars or more within fourteen days immediately prior to an election. The Statement shall be filed within forty-eight hours of the receipt of the contribution.