

**AN ORDINANCE TO UPDATE CAMPAIGN FINANCE DISCLOSURE REQUIREMENTS BY AMENDING CHAPTER 2.32 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City of Rapid City has enacted ordinances regulating campaign finance disclosure requirements; and

WHEREAS, changes in state law, which will take effect in July of 2017, have added additional reporting requirements; and

WHEREAS, the City's ordinances require the updates described below in order to comply with new state laws; and

WHEREAS, the Common Council desires to make some other clarifications to the campaign finance disclosure requirements.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City, that Chapter 2.32 of the Rapid City Municipal Code be and is hereby amended to read in its entirety as follows:

**CHAPTER 2.32: CAMPAIGN FINANCE DISCLOSURE REQUIREMENTS**

Section

**2.32.010 Applicability of SDCL Chapter 12-25 and 12-27.**

**2.32.020 Filing requirements.**

**2.32.030 Civil penalty for delinquent statements.**

**2.32.040 Investigation and prosecution of violations by City Attorney–Civil actions.**

**2.32.010 Applicability of SDCL Chapter 12-25 and 12-27.**

From and after the effective date of this section, the provisions of SDCL Chapter 12-25 and 12-27 shall be applicable to all municipal elections. Candidates for municipal elections shall be considered the same as a candidate for ~~any other~~ county office for the purposes of ~~the~~ this Chapter. Except as modified in this Chapter, all deadlines, time limits, or time periods contained in state law shall apply to political committees pertaining to the City's elections. Any deadlines specifying 5:00 p.m. central time shall be adjusted to 5:00 p.m. mountain time. The City's Finance Officer shall be substituted wherever the Secretary of State is referenced in state law.

**2.32.020 Filing requirements.**

All reports of candidates, candidate committees, ballot committees, political committees and other committees pertaining to municipal elections must be filed with the city's Finance Officer pursuant to the following schedule:

A. *Statement of organization.* All candidates and political committees shall file a statement of organization as provided in SDCL § 12-27-3.

**AB.** *Statement of financial interest.*

1. A statement of financial interest must be filed within 15 days after filing nominating petitions.
2. All Persons assuming office must file a statement of financial interest not more than 15 days after assuming office, which statement shall setting forth any additions and or corrections to any previous statement filed pursuant to this Section or SDCL 12-25-30, if any, within 15 days after taking office.
3. A statement of financial interest shall be filed not later than the first day of January of every year the person continues to hold office.

**BC.** *Campaign finance disclosure statements.* ~~Report of receipts and expenditures.~~ Campaign finance disclosure statements containing the information required by SDCL 12-27-24 shall be filed as follows:

1. *Pre-election reports.* ~~The A~~ campaign finance disclosure statements ~~must~~ must for the reporting period commencing with the last report submitted up through and including eleven days prior to the election shall be filed by 5:00 p.m. on the last Tuesday prior to any election. This subsection shall not require the filing of an additional report in the case of a secondary election.
2. *Post-election reports.*
  - a. No later than 5:00 p.m. on the first Tuesday following the first Monday in August, 60 days following any election, the a termination statement or a campaign finance disclosure statement for the reporting period commencing with the last report submitted up through and including fifty-five days following the election must be filed.
  - ~~3. b.~~ If a secondary election is held for the office of Mayor or Alderman, the reporting period and deadline for the post-election report shall be extended three weeks for then those persons candidates participating in the secondary election. must file their termination statement or campaign finance disclosure statements not later than 60 days after the secondary election. All candidates that are not in the secondary election must file the reports within 60 days of the annual election.
  3. *Year-end reports.* A campaign finance disclosure statement for the reporting period commencing with the last report submitted up through and including December 31 of each year shall be filed by 5:00 p.m. on the last Friday in January.
  4. *Amended reports.* Amended reports shall be filed as provided in SDCL § 12-27-27.
  5. *Supplemental reports.* Supplemental reports, as described in SDCL § 12-27-28, shall not be required for political committees pertaining to municipal elections.
  6. *Termination statements.* Termination statements, as described in SDCL ch 12-27, may be filed at any time.

**2.32.030 Civil penalty for delinquent statements.**

Wherever a civil penalty is prescribed by state law for violation of campaign finance disclosure and reporting requirements, the same civil penalty shall be applicable for municipal candidates, candidate committees, ballot committees, political committees, and other committees pertaining to municipal elections. All civil penalties provided by this chapter shall be paid to the City Finance Office.

**2.32.040 Investigation and prosecution of violations by City Attorney–Civil actions.**

All authority to the Attorney General and/or the State’s Attorneys in SDCL 12-27 shall be vested in the City Attorney [with respect to violations of this Chapter](#).

CITY OF RAPID CITY

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Mayor

Attest

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Finance Officer

(seal)