

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

627R0310

SENATE BILL NO. 123

Introduced by: Senator Hundstad and Representative Tidemann

1 FOR AN ACT ENTITLED, An Act to suspend certain tax refunds, to suspend the issuance of
2 permits providing tax refunds for certain facilities and productions, to suspend the issuance
3 of permits allowing a lower rate of taxation for certain facilities, and to declare an
4 emergency.

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

6 Section 1. The department shall suspend all tax refunds for any project costs incurred after
7 the effective date of this Act for each facility or production that has received a permit for such
8 refund pursuant to chapter 10-45B or 10-46D. The department shall refund taxes for project
9 costs that have been incurred and paid before the effective date of this Act if a permit has been
10 approved and issued for the facility or production before the effective date of this Act and the
11 other tax refund requirements have been met. No additional tax refunds may be earned or
12 credited to any taxpayer for any work performed or expenditures made after the effective date
13 of this Act and before July 1, 2012, on any facility or production.

14 Section 2. No new permit may be approved and issued pursuant to chapter 10-45B or 10-
15 46D by the department until July 1, 2012. No tax refunds may be earned or credited to any



1 taxpayer for any work performed or expenditures made before July 1, 2012, for any permit
2 approved on or after July 1, 2012.

3 Section 3. No new permit may be approved and issued pursuant to chapter 10-46C by the
4 department until July 1, 2012.

5 Section 4. Whereas, this Act is necessary for the support of the state government and its
6 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
7 full force and effect from and after its passage and approval.