

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

906W0541

SENATE TAXATION ENGROSSED NO. **SB 136** - 02/06/2015

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Brown, Ewing, Frerichs, Greenfield (Brock), Monroe, Novstrup (David), Parsley, and Peterson (Jim) and Representatives Novstrup (Al), Cronin, Duvall, Greenfield (Lana), Haggar (Don), Heinemann (Leslie), Rozum, Solum, Wiik, Willadsen, and Wollmann

1 FOR AN ACT ENTITLED, An Act to exclude certain municipal taxes from the gross receipts
2 used to determine the tax liability for customers served by electric cooperatives.

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

4 Section 1. That § 10-45-1.16 be amended to read as follows:

5 10-45-1.16. Gross receipts, as defined in § 10-45-1.14, do not include:

- 6 (1) Discounts, including cash, term, or coupons that are not reimbursed by a third party
7 that are allowed by a retailer and taken by a purchaser on a sale;
- 8 (2) Interest, financing, and carrying charges from credit extended on the sale of tangible
9 personal property, any product transferred electronically, or services, if the amount
10 is separately stated on the invoice, bill of sale, or similar document given to the
11 purchaser; ~~and~~
- 12 (3) Any taxes legally imposed directly on the consumer that are separately stated on the
13 invoice, bill of sale, or similar document given to the purchaser; and



- 1 (4) Any taxes imposed by a municipality pursuant to §§ 49-34A-45 and 49-34A-46.