



2020 South Dakota Legislature  
**Senate Bill 52**  
**ENROLLED**

AN ACT

**ENTITLED An Act to create a state seal specialty plate emblem.**

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

**Section 1.** That a NEW SECTION be added:

**32-5-168.1. State seal--Emblem set.**

The state seal may be used as an emblem for emblem specialty plates under § 32-5-169. A fifty dollar fee shall be assessed for each emblem set purchased under this section. Each office of a county treasurer shall be stocked with the state seal emblem.

**Section 2.** That a NEW SECTION be added:

**32-5-168.2. State seal emblem fee--Motor vehicle fund.**

The county treasurer shall remit to the department the state seal emblem fees collected under § 32-5-168.1. The fees shall be deposited in the motor vehicle fund.

**Section 3.** That a NEW SECTION be added:

**32-5-168.3. State seal emblem design.**

The state seal emblem shall be designed by the department and approved by the secretary in accordance with § 1-6-2.1. The provisions of §§ 32-5-175 to 32-5-178, inclusive, do not apply to the state seal emblem.

**Section 4.** That § 1-6-3.1 be AMENDED:

**1-6-3.1. Use of state seal--Authorization--Violation as misdemeanor.**

A person may not reproduce, duplicate, or otherwise use the official seal of the State of South Dakota, or its facsimile, adopted and described in §§ 1-6-1 and 1-6-2 for any for-profit, commercial purpose without specific authorization from the secretary of state. However, the facsimile of the state seal may be used as an emblem for emblem

specialty license plates under chapter 32-5. A violation of this section is a Class 1 misdemeanor.

**Section 5.** That § 1-6-3.2 be AMENDED:

**1-6-3.2. Sale of replica or facsimile--Authorization--Violation as misdemeanor.**

A person may not sell or offer for sale a replica or facsimile of the official seal of the State of South Dakota, adopted and described in §§ 1-6-1 and 1-6-2, without the specific authorization from the secretary of state. However, a facsimile of the state seal may be sold as an emblem for emblem specialty license plates under chapter 32-5. A violation of this section is a Class 1 misdemeanor.

**Section 6.** That § 1-6-3.3 be AMENDED:

**1-6-3.3. Use of state seal--Royalty--Exceptions.**

The secretary of state shall charge a royalty for the privilege of using the state seal. The secretary of state may not charge a royalty if the state seal is used for an educational purpose or as an emblem under chapter 32-5. All royalty fees collected pursuant to this chapter shall be deposited in the state general fund.

An Act to create a state seal specialty plate emblem.

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I certify that the attached Act originated in the:

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_,

Senate as Bill No. 52

2020 at \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of the Senate

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
President of the Senate

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2020

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
Speaker of the House

Attest:

Filed \_\_\_\_\_, 2020  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Secretary of State

Senate Bill No. 52  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State