



## 2021 South Dakota Legislature

# Senate Bill 61

*Introduced by: The Committee on Commerce and Energy at the request of the South Dakota Housing Development Authority*

1 **An Act to revise a cross reference regarding the South Dakota Housing Development**  
 2 **Authority's investment agreement.**

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

4 **Section 1.** That § 11-11-179 be AMENDED.

5 **11-11-179. Retirement and redemption of investments in sponsor of**  
 6 **multifamily units and day-care facilities.**

7 The authority shall have the power, in the supervision of housing sponsors of  
 8 multifamily residential housing units and day-care facilities and their real and personal  
 9 property, to regulate the retirement of any capital investment or the redemption of stock  
 10 where any such retirement or redemption when added to any dividend or other distribution  
 11 shall exceed in any one fiscal year such percentage as may be determined by rules and  
 12 regulations of the authority or as ~~may be~~ specified in the agreement ~~required by § 11-11-~~  
 13 ~~156~~ between the authority and the housing sponsor of the original face amount of any  
 14 investment or equity in any housing sponsor. Projects whose rents or income limits  
 15 applicable to project residents are established, subsidized or regulated by federal law, or  
 16 whose loans are insured or guaranteed by the federal government shall be subject to an  
 17 agreement between the authority and the housing sponsor which will subject said sponsor  
 18 and its principals or stockholders, if any, to those limitations established by federal law,  
 19 or such lower limitation as shall be prescribed by the authority, in regulating the retirement  
 20 of any capital investment or the redemption of stock of the original face amount of any  
 21 investment or equity in any housing sponsor.