

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

762V0471

SENATE BILL NO. 83

Introduced by: Senators Begalka, Frerichs, and Rampelberg and Representatives Hoffman, Peterson, Qualm, Tulson, and Tyler

1 FOR AN ACT ENTITLED, An Act to authorize townships and counties to impose real estate
2 transfer fees.

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

4 Section 1. That § 43-4-21 be amended to read as follows:

5 43-4-21. A fee is hereby imposed at the rate of fifty cents for each five hundred dollars of
6 value or fraction thereof upon the privilege of transferring title to real property in the State of
7 South Dakota, which fee shall be paid by the grantor. In addition to the fee imposed by this
8 section, an organized civil township may impose, by resolution, an additional fee not to exceed
9 one dollar for each five hundred dollars of value or fraction thereof upon the privilege of
10 transferring title to real property within the boundaries of the township, which fee shall be paid
11 by the grantor. A county for the area not organized as a civil township may impose, by
12 resolution, an additional fee not to exceed one dollar for each five hundred dollars of value or
13 fraction thereof upon the privilege of transferring title to real property within the boundaries of
14 such area, which fee shall be paid by the grantor. If the governing board of the township or
15 county adopts a resolution to impose the additional fee, the board shall notify the county register



1 of deeds of the amount of the fee levied by the township or county before October first. The fee
2 becomes effective on the following January first.

3 Section 2. That § 43-4-25 be amended to read as follows:

4 43-4-25. The proceeds of ~~all fees collected under~~ the fee imposed at the rate of fifty cents
5 for each five hundred dollars of value or fraction thereof pursuant to § 43-4-21 shall be remitted
6 on a monthly basis to the credit of the county general fund by the register, ~~who shall obtain a~~
7 receipt therefor from the county treasurer and keep such records as may be prescribed by the
8 state auditor general of deeds. The proceeds of the additional fee collected on behalf of a
9 township or county pursuant to § 43-4-21 shall be remitted by the register of deeds on a monthly
10 basis to the township treasurer or county auditor.