

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

400Q0081

HOUSE COMMERCE ENGROSSED NO. **HB 1059** 1/26/2009

Introduced by: The Committee on Commerce at the request of the Department of Revenue
and Regulation

1 FOR AN ACT ENTITLED, An Act to define and prohibit controlled business in insurance.

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

3 Section 1. That chapter 58-30 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 As used in this chapter, the term, controlled business, means insurance written on the
6 interests of the producer, producer's immediate family, or producer's employer; or insurance
7 covering the producer, the members of the producer's immediate family, a business entity that
8 acts as an insurance producer or receives an insurance commission, or the officers, directors,
9 substantial stockholders, partners, or employees of such a business entity of which the producer
10 or member of the producer's immediate family is an officer, a director, a substantial stockholder,
11 a partner, an associate, or an employee.

12 Section 2. That chapter 58-30 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 The director may not grant, renew, continue, or permit to continue any license if the director



1 determines that the license is being used, will be used, or has been used by the applicant or
2 producer for the purpose of writing controlled business. A producer license is deemed to have
3 been or intended to be used for the purpose of writing controlled business if the director
4 determines that during any twelve month period the aggregate commissions earned from the
5 controlled business exceeded thirty percent of the aggregate commissions earned on all business
6 written by the producer during the same period of time.

7 Section 3. That chapter 58-30 be amended by adding thereto a NEW SECTION to read as
8 follows:

9 A business entity, that is incorporated or a partnership, is considered to be writing controlled
10 business pursuant to section 2 of this Act if the aggregate commissions on business written by
11 the business entity covering the owners, stockholders, members, or partners of the business
12 entity constitute more than thirty percent of the aggregate commissions earned by that business
13 entity on all business written during any twelve month period of time.

14 Section 4. That chapter 58-30 be amended by adding thereto a NEW SECTION to read as
15 follows:

16 The provisions of sections 1 to 3, inclusive, of this Act, do not apply to insurance written
17 in connection with credit transactions, including title insurance.

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

677Q0124

HOUSE EDUCATION ENGROSSED NO. **HB 1186** - 2/4/2009

Introduced by: Representatives Greenfield, Blake, Burg, Dennert, Elliott, Gibson, Hunhoff (Bernie), Kirschman, Krebs, Lucas, McLaughlin, Noem, Peters, Putnam, Rausch, Thompson, and Van Gerpen and Senators Merchant, Garnos, Haverly, Jerstad, Kloucek, and Maher

1 FOR AN ACT ENTITLED, An Act to reimburse and reward public school counselors who earn
2 the credential of National Certified School Counselor.

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

4 Section 1. The Department of Education may establish a program to reimburse public school
5 counselors for the fees associated with the application and examination process necessary to
6 earn the credential of National Certified School Counselor from the National Board for
7 Counselor Certification. The reimbursement shall include any federal funds that may be
8 available through a candidate subsidy program. The reimbursement shall be paid upon receipt
9 of documentation that the public school counselor successfully completed all of the certification
10 requirements which took effect on January 1, 2004, and was awarded the credential.

11 In addition to the reimbursement provided in this section, a counselor who is employed by
12 a school district and who has earned the credential of National Certified School Counselor from
13 the National Board for Counselor Certification may receive a payment of two thousand dollars



1 per year. The stipend shall be paid as follows:

2 (1) One thousand dollars from the Department of Education; and

3 (2) One thousand dollars from the school district that employs the counselor.

4 The department is not required to pay a teacher a stipend pursuant to this section unless the
5 school district employing the counselor opts to pay a stipend.

6 Section 2. The Board of Education shall promulgate rules, pursuant to chapter 1-26,
7 establishing the procedures for documenting the necessary certification and for providing the
8 payments required in this Act.

State of South Dakota

EIGHTY-FOURTH SESSION
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555Q0587

SENATE LOCAL GOVERNMENT ENGROSSED NO. **SB 154** - 2/11/2009

Introduced by: Senators Gant, Abdallah, Dempster, Gillespie, Gray, Hanson (Gary), Hundstad, Hunhoff (Jean), Miles, and Nesselhuf and Representatives Gosch, Blake, Boomgarden, Cronin, Curd, Feickert, Gibson, Hamiel, Kirkeby, Krebs, Lucas, Moser, Nygaard, Solum, Street, Thompson, Turbiville, Vanderlinde, and Verchio

1 FOR AN ACT ENTITLED, An Act to require new construction of certain structures and
2 buildings to comply with the building code.

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

4 Section 1. That chapter 11-10 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The design standard for any new construction commenced after July 1, 2009, within the
7 boundaries of any local unit of government that has not adopted an ordinance prescribing
8 standards for new construction pursuant to § 11-10-5 shall be based on the 2006 edition of the
9 International Building Code as published by the International Code Council, Incorporated. Each
10 local unit of government may adopt an ordinance allowing local administration and enforcement
11 of the design standard. The provisions of this Act do not apply to new construction for any one
12 or two family dwelling, townhouse, or farmstead and any accessory structure or building thereto.
13 For purposes of this Act the term, farmstead, means a farm or ranch including any structure or



1 building located on the land. The provisions of this Act do not apply to mobile or manufactured
2 homes as defined in chapter 32-7A that are constructed in compliance with the applicable
3 prevailing standards of the United States Department of Housing and Urban Development at the
4 time of construction.