

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

400R0210

SENATE TAXATION ENGROSSED NO. **SB 31** - 1/20/2010

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

1 FOR AN ACT ENTITLED, An Act to update certain provisions regarding the reimbursable
2 expense exemption from the sales and service tax allowed licensed accountants.

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

4 Section 1. That § 10-45-29.1 be amended to read as follows:

5 10-45-29.1. In determining the amount of tax due under this chapter, ~~attorneys~~ a person
6 licensed pursuant to chapter 16-16 and ~~accountants~~ a person licensed pursuant to chapter ~~36-~~
7 ~~20A~~ 36-20B may deduct from gross receipts amounts which represent charges to clients for
8 tangible personal property, any product transferred electronically, or services purchased by the
9 attorney or accountant on behalf of a client. However, the sale of the property or service to the
10 attorney or accountant is not a sale for resale if this deduction is taken. This deduction may only
11 be taken if the amount to be deducted represents an expense specifically incurred for a particular
12 client and the amount is itemized and separately billed as a reimbursable expense by the attorney
13 or accountant.

