

AN ACT

ENTITLED, An Act to exempt certain gift certificates and closed-loop prepaid cards from the unclaimed property provisions.

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

Section 1. That chapter 43-41B be amended by adding thereto a NEW SECTION to read as follows:

The provisions of this chapter do not apply to any gift certificate or closed-loop prepaid card that has no expiration date and that is not subject to a dormancy, inactivity, or service fee. For purposes of this chapter, a closed-loop prepaid card is an electronic payment device that meets the following conditions:

- (1) Is purchased or loaded, or both, on a prepaid basis in exchange for payment for the future purchase or delivery of goods or services; and
- (2) Is redeemable upon presentation to a single merchant or an affiliated group of merchants for goods and services.

Section 2. That § 43-41B-42 be amended to read as follows:

43-41B-42. Any unredeemed gift certificate or closed-loop card that meets the requirements of section 1 of this Act or any open-loop prepaid card or rewards card is subject only to any rights of a purchaser or owner of the gift certificate or card and is not subject to any claim made by any state acting on behalf of a purchaser or owner.

An Act to exempt certain gift certificates and closed-loop prepaid cards from the unclaimed property provisions.

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I certify that the attached Act
originated in the

SENATE as Bill No. 76

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 76
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State