

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

400T0350

HOUSE BILL NO. 1016

Introduced by: The Committee on State Affairs at the request of the Bureau of
Administration

1 FOR AN ACT ENTITLED, An Act to repeal certain rules relating to use of the centennial logo.

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

3 Section 1. That ARSD 10:07:01:01 be repealed.

4 ~~—10:07:01:01. Definitions. Words used in this article are defined as follows:~~

5 ~~—(1) "Logo," the Centennial Commission's trademark.~~

6 Section 2. That ARSD 10:07:01:02 be repealed.

7 ~~—10:07:01:02. Fees for use of logo for commercial application. Commercial application of~~
8 ~~the logo is using the logo for the purpose of generating revenue. Authorized applicants may use~~
9 ~~the logo for generating revenue by paying a \$250 initial fee plus a negotiated royalty. Royalties~~
10 ~~shall be collected based on the number of items sold. Applicants must post a bond as collateral~~
11 ~~for completing the contract. The amount of the bond shall be based on the projected revenue the~~
12 ~~Bureau of Administration expects to receive as royalties from the applicant. The Bureau of~~
13 ~~Administration shall return the bond after completion of the signed contract.~~

14 ~~—The royalties shall be negotiated by the Bureau of Administration within the following~~
15 ~~guidelines:~~



1 ~~—(1) Royalty payments may be from 1 to 20 percent of the wholesale price;~~

2 ~~—(2) The amount of the royalty shall be based on the profit margin of item sold.~~

3 Section 3. That ARSD 10:07:01:03 be repealed.

4 ~~—10:07:01:03. Noncommercial application. Noncommercial application of the logo is using~~

5 ~~the logo only for purposes of promoting the centennial and not for generating revenue.~~