

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

555L0844

## SENATE BILL NO. 222

Introduced by: Senator Apa and Representative Putnam

1 FOR AN ACT ENTITLED, An Act to provide for the appropriation and distribution of the  
2 excise tax on the gross receipts of personal communications system, wireless, and cellular  
3 companies, to retroactively apply the appropriations and distribution of the excise tax, and  
4 to declare an emergency.

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

6 Section 1. That chapter 10-33A be amended by adding thereto a NEW SECTION to read  
7 as follows:

8 The secretary shall deposit sixty percent of the revenue collected from the tax imposed by  
9 this chapter into the property tax reduction fund and forty percent of the revenue collected from  
10 the tax imposed by this chapter into the county telecommunications gross receipts fund. There  
11 is hereby created in the state treasury the county telecommunications gross receipts fund.

12 Section 2. That chapter 10-33A be amended by adding thereto a NEW SECTION to read  
13 as follows:

14 The secretary shall distribute to each county an amount equal to the money deposited in the  
15 county telecommunications gross receipts fund times the ratio of population of the county to the  
16 total population of all counties. The secretary shall base the allocation of money on the most



1 recent decennial census of the United States Department of Commerce, Bureau of the Census.  
2 The secretary shall make distributions from the county telecommunications gross receipts fund  
3 each March, June, September, and December. The secretary shall approve vouchers and the state  
4 auditor shall draw warrants to pay each county its share of the distribution.

5 Section 3. The provisions of sections 1 and 2 of this Act apply retroactively to July 1, 2003.  
6 Any prior appropriation or distribution of the revenue consistent with these provisions is hereby  
7 validated and affirmed.

8 Section 4. That § 10-33A-5 be repealed.

9 ~~10-33A-5. The secretary shall deposit sixty percent of the revenue collected from the tax~~  
10 ~~imposed by this chapter into the property tax reduction fund and forty percent of the revenue~~  
11 ~~collected from the tax imposed by this chapter into the county telecommunications gross~~  
12 ~~receipts fund. There is hereby created in the state treasury the county telecommunications gross~~  
13 ~~receipts fund.~~

14 Section 5. That § 10-33A-6 be repealed.

15 ~~10-33A-6. The secretary shall distribute to each county an amount equal to the money~~  
16 ~~deposited in the county telecommunications gross receipts fund times the ratio of population of~~  
17 ~~the county to the total population of all counties. The secretary shall base the allocation of~~  
18 ~~money on the most recent decennial census of the United States Department of Commerce,~~  
19 ~~Bureau of the Census. The secretary shall make distributions from the county~~  
20 ~~telecommunications gross receipts fund each March, June, September, and December. The~~  
21 ~~secretary shall approve vouchers and the state auditor shall draw warrants to pay each county~~  
22 ~~its share of the distribution.~~

23 Section 6. Whereas, this Act is necessary for the support of the state government and its  
24 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in

- 1 full force and effect from and after its passage and approval.