

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

346A0514

## HOUSE BILL NO. 1141

Introduced by: Representatives Napoli, DeMersseman, Hassard, Kredit, Matthews, Monroe,  
and Wick and Senators Aker and Shoener

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning those vehicles that  
2 are acceptable for sale by an auction agency.

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

4 Section 1. That § 32-6B-36 be amended to read as follows:

5 32-6B-36. Any auction agency operating under the provisions of this chapter may accept for  
6 sale at its option ~~only~~ vehicles which are owned by vehicle dealers regularly licensed in either this  
7 or some other state, ~~and any~~ or by the following entities if the vehicle is owned and titled by the  
8 entity and acquired incident to its regular business:

9 (1) Any regulated lender as defined in § 54-3-14 or any financing institution licensed  
10 pursuant to chapter 54-7;

11 (2) Any financial institution chartered or licensed in any other jurisdiction; or

12 (3) Any insurance company authorized to do business in either this state or some other  
13 state.

14 Any vehicle dealer, regularly licensed by this or some other state, ~~is permitted or allowed to~~  
15 may purchase any vehicle from such an auction agency. A violation of Any auction agency that

1 accepts for sale any vehicle not authorized by this section is guilty of a Class 1 misdemeanor.