

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

534C0668

## SENATE BILL NO. 208

Introduced by: Senators Reedy, Dennert, Dunn (Rebecca), Duxbury, Flowers, Hutmacher, Kloucek, Lange, Lawler, Moore, Olson, and Symens and Representatives Lucas, Burg, Cerny, Chicoine, Davis, Fischer-Clemens, Hagen, Haley, Hanson, Kazmerzak, Koetzle, Lockner, McIntyre, Nachtigal, Patterson, Sutton (Daniel), Volesky, Waltman, and Wilson

1 FOR AN ACT ENTITLED, An Act to create the Higher Education Advance Payment Plan Task  
2 Force.

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

4 Section 1. There is hereby created the Higher Education Advance Payment Program Task  
5 Force to implement a program allowing for the advance payment of tuition as set forth in  
6 chapter 13-55E. The task force shall consist of the executive director of the Board of Regents,  
7 the state treasurer and two members of each house of the Legislature appointed by the Executive  
8 Board of the Legislative Research Council.

9 Section 2. That § 13-55E-13 be amended to read as follows:

10 13-55E-13. Rules necessary to administer this chapter shall be promulgated ~~jointly by the~~  
11 ~~executive director and the state treasurer~~ by the Higher Education Advance Payment Program  
12 Task Force pursuant to chapter 1-26. Rules adopted pursuant to this section shall include  
13 policies and procedures governing the:

- 14 (1) Receipt of payments from purchasers on behalf of beneficiaries;
- 15 (2) Accounting and reporting to purchasers of payments deposited and invested in

1           accordance with this chapter;

2           (3)   Period of time during which the beneficiary may receive benefits under the contract;

3           (4)   Terms and conditions under which contracts may be terminated or modified, refunds  
4           may be granted and direct payment of benefits may be made pursuant to § 13-55E-11;

5           (5)   Provisions of contract benefits at institutions of higher education;

6           (6)   Payment to institutions of higher education on behalf of beneficiaries;

7           (7)   Imposition of fees to cover costs incurred for the administration of this chapter not  
8           to exceed the limitation imposed under § 13-55E-9; and

9           (8)   Other terms, conditions, and provisions determined necessary for advanced payment  
10          contracts and benefits provided under contracts.

11          Section 3. The task force shall complete its work and report to the Legislature by January 1,  
12   2000.

13          Section 4. The changes to § 13-55E-13 in section 2 of this Act are repealed on January 1,  
14   2000.