

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

592D0397

## HOUSE ENGROSSED NO. **HB1167** - 1/31/00

Introduced by: Representative Napoli and Senator Olson

1 FOR AN ACT ENTITLED, An Act to create a rebuttable presumption that the removal of  
2 certain property from the state without payment constitutes theft.

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

4 Section 1. That chapter 22-30A be amended by adding thereto a NEW SECTION to read  
5 as follows:

6 If any person transfers property purchased at a public auction beyond the borders of this state  
7 without first either making full payment for the property or obtaining the written consent of the  
8 auctioneer to transfer the property out of state, a rebuttable presumption arises that the transfer  
9 was made with intent to defraud within the meaning of §§ 22-30A-1 and 22-30A-10 and that the  
10 person who is the purchaser and transferrer has committed theft.

1 **BILL HISTORY**

2 1/19/00 First read in House and referred to committee assignment waived. H.J. 135

3 1/20/00 Referred to Judiciary.

4 1/26/00 Scheduled for Committee hearing on this date.

5 1/26/00 Judiciary Do Pass Amended, Passed, AYES 12, NAYS 1. H.J. 252

6 1/28/00 House of Representatives Do Pass Amended, Passed, AYES 56, NAYS 4. H.J. 291

7 1/28/00 House of Representatives Title Amended Passed. H.J. 292