

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

592D0397

HOUSE BILL NO. **1167**

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 fraud.

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 purchaser and transferrer has committed theft.