

AN ACT

ENTITLED, An Act to revise certain requirements for moving mobile homes or manufactured homes.

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

Section 1. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as follows:

Any transport of a used mobile home or manufactured home by a transporter shall be accompanied with a notification form, as prescribed by the secretary of revenue, stating the point of origin and the point of destination. The transporter shall provide a copy of the notification form to the director of equalization in the county of origin and the county of destination. This section does not apply to any transport regulated under chapter 32-7A. A violation of this section is a Class 2 misdemeanor.

Section 2. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as follows:

Any transport of a used mobile home or manufactured home by a transporter shall be accompanied with an affidavit from the county treasurer of the county in which the used mobile home or manufactured home is registered, stating that the current year's taxes are paid as described in §§ 10-6-70 to 10-6-73, inclusive, or § 10-9-3. This section does not apply to any transport regulated under chapter 32-7A. A violation of this section is a Class 2 misdemeanor.

Section 3. That § 32-5-16.3 be amended to read as follows:

32-5-16.3. Any person who moves a mobile home or manufactured home shall obtain a permit, as prescribed by the secretary of revenue, from the county treasurer where the home is located. The permit fee is valid for a single trip from the point of origin to a point of destination within the state. Before the county treasurer may issue a permit, the owner of the mobile home or manufactured home or regulated lender as defined in § 54-3-14 that is repossessing the mobile home or manufactured home shall obtain an affidavit, as prescribed by the secretary of revenue, from the county treasurer stating that the current year's taxes are paid as described in §§ 10-6-70 to 10-6-72, inclusive, and

§ 10-6-73 or 10-9-3. The permit fee for mobile homes and manufactured homes for use on the public highways is fifteen dollars. The fees collected shall be credited to the license plate special revenue fund. The fee and permit imposed by this section does not apply to a new or used mobile home or manufactured home transported by a dealer licensed under chapter 32-7A. A violation of this section is a Class 2 misdemeanor.

Section 4. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as follows:

If the owner of the used mobile home or manufactured home fails to obtain an affidavit from the county treasurer of the county in which the used mobile home or manufactured home is registered, stating that the current year's taxes are paid as described in §§ 10-6-70 to 10-6-73, inclusive, or § 10-9-3, the court shall assess a civil penalty of two hundred fifty dollars to the owner. If a regulated lender, as defined in § 54-3-14, is repossessing a used mobile home or manufactured home and fails to obtain an affidavit from the county treasurer of the county in which the used mobile home or manufactured home is registered, stating that the current year's taxes are paid as described in §§ 10-6-70 to 10-6-73, inclusive, or § 10-9-3, the court shall assess a civil penalty of two hundred fifty dollars to the lender. All civil penalties collected pursuant to this section shall be deposited in the county general fund of the county in which the used mobile home or manufactured home is registered.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1205

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1205

File No. _____

Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

20__ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
SS.

Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State