

AN ACT

ENTITLED, An Act to clarify certain provisions relating to the payment of taxes to municipalities from the revenues of electric cooperatives providing service within a municipality.

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

Section 1. That § 49-34A-45 be amended to read as follows:

49-34A-45. A rural electric cooperative serving less than a majority of customers in a municipality not having a municipally owned system, may, at the option of the municipality, pay in addition to other taxes provided by law, an amount each and every year equal to two percent of the total gross revenues received by the cooperative for that year from the sale of power distributed to structures and electric service outlets situated within the municipality.

Section 2. That § 49-34A-46 be amended to read as follows:

49-34A-46. Any electric utility with facilities within the boundaries of a municipality, as they exist from time to time, which has a municipally owned electric system serving over fifty percent of the customers in the municipality, may, at the option of the municipality, pay to the municipality an amount to be agreed upon by the electric supplier and the governing body of the municipality. If the parties have not agreed on the amount on or before May first following the calendar year from which the amount is to be paid, the amount to be paid shall be four percent of the total gross revenue collected by the electric supplier from the sale of power delivered to structures and electric service outlets situated within the municipality during the year for which the amount is paid.

An Act to clarify certain provisions relating to the payment of taxes to municipalities from the revenues of electric cooperatives providing service within a municipality.

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I certify that the attached Act originated in the

SENATE as Bill No. 140

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 140  
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