

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

913H0705

## HOUSE BILL NO. 1280

Introduced by: Representative Derby

1 FOR AN ACT ENTITLED, An Act to revise the definition of a controlled group for sales tax  
2 purposes.

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

4 Section 1. That § 10-45-20.3 be amended to read as follows:

5 10-45-20.3. For the purposes of this chapter, a controlled group consists of ~~such~~  
6 ~~corporations or other entities which are~~ any corporations or other entities eligible to file a  
7 consolidated federal income tax return under the Internal Revenue Code as in effect on  
8 January 1, ~~1983~~ 2002, or entitled to only a single surtax exemption for federal corporate income  
9 tax purposes under the Internal Revenue Code as in effect on January 1, ~~1983~~ 2002, and includes  
10 a controlled group of corporations as defined at 26 U.S.C. § 1563 as in effect on January 1, ~~1989~~  
11 2002. A controlled group also consists of any subchapter S corporation, limited liability  
12 company, limited liability partnership, general partnership, or limited partnership as if the entity  
13 was converted to or taxed as a subchapter C corporation under the Internal Revenue Code as  
14 in effect on January 1, 2002.

