

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

384I0517

HOUSE BILL NO. 1138

Introduced by: Representatives Lange, Bradford, Gassman, Hundstad, Kroger, McCoy, Miles, Sigdestad, and Valandra and Senators Kooistra, Dennert, and Reedy

1 FOR AN ACT ENTITLED, An Act to revise the bank franchise tax.

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

3 Section 1. That § 10-43-4 be amended to read as follows:

4 10-43-4. The liability for the tax imposed by §§ 10-43-2 and 10-43-2.1 shall arise upon the
5 first day of each tax year and shall be based upon the net income assignable to this state at the
6 rate of six percent on net income of ~~four~~ five hundred million dollars or less; at the rate of five
7 percent on net income exceeding ~~four~~ five hundred million dollars but equal to or less than ~~four~~
8 five hundred twenty-five million dollars; at the rate of four percent on the net income exceeding
9 ~~four~~ five hundred twenty-five million dollars but equal to or less than ~~four~~ five hundred fifty
10 million dollars; at the rate of three percent on the net income exceeding ~~four~~ five hundred fifty
11 million dollars but equal to or less than ~~four~~ five hundred seventy-five million dollars; at the rate
12 of two percent on the net income exceeding ~~four~~ five hundred seventy-five million dollars but
13 equal to or less than ~~five~~ six hundred million dollars; at the rate of one percent on the net income
14 exceeding ~~five~~ six hundred million dollars ~~but equal to or less than six hundred million dollars;~~
15 ~~at the rate of one-half of one percent on the net income exceeding six hundred million dollars but~~



1 ~~equal to or less than one billion two hundred million dollars, and at the rate of one-~~ quarter of
2 ~~one percent on the net income exceeding one billion two hundred million dollars.~~ The tax payable
3 under this section may be no less than two hundred dollars for each authorized location at which
4 the financial institution subject to taxation under § 10-43-2 regularly conducts business.