



# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

77110183

## HOUSE LOCAL GOVERNMENT COMMITTEE ENGROSSED NO. **HB 1008** - 01/21/2003

Introduced by: The Committee on Local Government at the request of the Secretary of State

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning campaign  
2 contributions and reports.

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

4 Section 1. That § 12-25-1.1 be amended to read as follows:

5 12-25-1.1. It is a Class 2 misdemeanor for any natural person, except as otherwise provided  
6 in this chapter, to contribute more than one thousand dollars to or in behalf of any individual  
7 candidate for state-wide office in any calendar year or more than two hundred fifty dollars to or  
8 in behalf of any individual candidate for legislative or county office in any calendar year. The  
9 limitation on individual contributions to any individual candidate in this section does not apply  
10 to contributions from the candidate, ~~his~~ the candidate's spouse, any relative within the third  
11 degree of kinship of the candidate or ~~his~~ the candidate's spouse, and the spouses of such  
12 relatives. It is a Class 2 misdemeanor for any candidate for state-wide office in any calendar year  
13 to accept more than one thousand dollars from any natural person or for a candidate for  
14 legislative or county office in any calendar year to accept more than two hundred fifty dollars  
15 from any natural person.



1 Section 2. That § 12-25-13.1 be amended to read as follows:

2 12-25-13.1. If any candidate, candidate's committee, ballot question committee, political  
3 action committee, or political party committee receives any contribution of five hundred dollars  
4 or more within the nine days immediately prior to any election from any individual contributor,  
5 such candidate or committee shall ~~make and file~~ fax or deliver to the secretary of state a  
6 supplement to the statement required in § 12-25-13 or 12-25-19.1 stating the name, residence  
7 address, and place of employment of any individual contributor or the name and address of the  
8 committee and the amount of the contribution within forty-eight hours of the receipt thereof. A  
9 violation of this section is a Class 2 misdemeanor.

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

555I0250

## HOUSE LOCAL GOVERNMENT COMMITTEE ENGROSSED NO. **HB 1010** - 01/21/2003

Introduced by: The Committee on Local Government at the request of the Secretary of State

1 FOR AN ACT ENTITLED, An Act to permit voter registration on the internet.

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

3 Section 1. That section 8 of chapter 107 of the 1994 Session Laws be amended to read as  
4 follows:

5 Section 8. That § 12-4-6 be amended to read as follows:

6 12-4-6. An applicant for registration shall answer questions and sign the oath as required on  
7 the form prescribed by the State Board of Elections. An applicant for registration at a ~~driver's~~  
8 driver license station shall also ~~sign a signature card~~ provide the driver's signature in a manner  
9 prescribed by the Department of Commerce and Regulation. This signature shall be digitized and  
10 used to prepare the registration card as provided in § 12-4-5. An applicant for registration who  
11 holds a current valid South Dakota driver license or nondriver identification card issued by the  
12 Department of Commerce and Regulation may register to vote on the internet using the digitized  
13 signature retained by the Department of Commerce and Regulation. If an applicant registers to  
14 vote using the internet, the applicant shall reside at the address on the applicant's driver license  
15 or nondriver identification card at the time of registration. If an applicant is unable to write his



- 1 or her name, the applicant shall make a mark, the applicant's name being written near such mark,
- 2 and written by a person who writes his or her own name as a witness.

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

400I0227

## HOUSE TAXATION COMMITTEE ENGROSSED NO. **HB 1036** - 01/23/2003

Introduced by: The Committee on Taxation at the request of the Department of Revenue

1 FOR AN ACT ENTITLED, An Act to revise certain dates pertaining to references to the  
2 Internal Revenue Code.

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

4 Section 1. That § 10-43-10.1 be amended to read as follows:

5 10-43-10.1. Net income, in the case of a financial institution, is taxable income as defined in  
6 the Internal Revenue Code, as amended, and in effect on January 1, ~~2002~~ 2003, and reportable  
7 for federal income tax purposes for the taxable year, but subject to the adjustments as provided  
8 in §§ 10-43-10.2 and 10-43-10.3. If a financial institution has elected to file its federal tax return  
9 pursuant to 26 USC § 1362(a), as amended, and in effect on January 1, 1997, net income shall  
10 be computed in the same manner and in the same amount as if that institution had continued to  
11 file its federal tax return without making the election and the financial institution shall continue  
12 to be treated as a separate corporation for the purposes of this chapter.

13 Section 2. That chapter 10-43 be amended by adding thereto a NEW SECTION to read as  
14 follows:

15 The amendments to the Internal Revenue Code made pursuant to Public Law 107-147 (The



1 Job Creation and Workers Assistance Act of 2002), which was signed into law March 9, 2002,  
2 shall apply to each return made pursuant to chapter 10-43 whose original due date for filing is  
3 on or after January 1, 2002.

4 Section 3. That subdivision (6) of § 10-18A-1 be amended to read as follows:

5 (6) "Income," the sum of adjusted gross income as defined in the United States Internal  
6 Revenue Code, as amended, and in effect on January 1, ~~2002~~ 2003, and all nontaxable  
7 income, including but not limited to the amount of capital gains excluded from  
8 adjusted gross income, alimony, support money, nontaxable strike benefits, cash  
9 public assistance and relief, not including relief granted under this chapter, the gross  
10 amount of any pension or annuity, including Railroad Retirement Act benefits and  
11 veterans' disability pensions, all payments received under the federal social security  
12 and state unemployment insurance laws, nontaxable interest received from the federal  
13 government or any of its instrumentalities, workers' compensation, and the gross  
14 amount of loss of time insurance, but not including gifts from nongovernmental  
15 sources, food stamps, or surplus foods, or other relief in kind provided by a public  
16 agency less real estate taxes payable on the applicant's principal residence for the year  
17 in which application is made. However, the reduction in the applicant's income for real  
18 estate taxes payable may not exceed four hundred dollars;

19 Section 4. That subdivision (5) of § 10-45A-1 be amended to read as follows:

20 (5) "Income," the sum of adjusted gross income as defined in the United States Internal  
21 Revenue Code, as amended, and in effect on January 1, ~~2002~~ 2003, and all nontaxable  
22 income, including but not limited to the amount of capital gains excluded from  
23 adjusted gross income, alimony, support money, nontaxable strike benefits, cash  
24 public assistance and relief, not including relief granted under this chapter, the gross

1 amount of any pension or annuity, including Railroad Retirement Act benefits and  
2 veterans' disability pensions, all payments received under the federal social security  
3 and state unemployment insurance laws, nontaxable interest received from the federal  
4 government or any of its instrumentalities, workers' compensation, and the gross  
5 amount of loss of time insurance, but not including gifts from nongovernmental  
6 sources, food stamps, or surplus foods, or other relief in kind provided by a public  
7 agency, less real estate taxes payable or ten percent of rent paid on the applicant's  
8 principal residence for the year in which application is made. However, the reduction  
9 in the individual's income may not exceed four hundred dollars;

10 Section 5. That subdivision (7) of § 10-40A-1 be amended to read as follows:

11 (7) "Internal Revenue Code," the federal Internal Revenue Code, as amended, and in  
12 effect on January 1, ~~2002~~ 2003;

13