

AN ACT

ENTITLED, An Act to provide tax refunds for certain soybean and biodiesel facilities.

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

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

10-45B-1. Terms used in this chapter mean:

- (1) "Department," the Department of Revenue and Regulation;
- (2) "New agricultural processing facility," a new building or structure, the construction of which is subject to contractors' excise tax pursuant to chapter 10-46A or 10-46B. A new agricultural processing facility is any new building or structure constructed for the initial or subsequent processing of any form of agricultural commodity, product, or by-product. A new agricultural processing facility does not include any building or structure constructed for raising or feeding of livestock or the expansion of an existing agricultural processing facility except as provided in section 2 of this Act;
- (3) "Person," any individual, firm, copartnership, joint venture, association, limited liability company, corporation, estate, trust, business trust, receiver, or any group or combination acting as a unit;
- (4) "Project," the construction of a new agricultural processing facility at a single site;
- (5) "Project cost," the amount paid in money, credits, property, or other money's worth for a project;
- (6) "Secretary," the secretary of the Department of Revenue and Regulation.

Section 2. That chapter 10-45B be amended by adding thereto a NEW SECTION to read as follows:

For purposes of this chapter, a new agricultural processing facility as defined in § 10-45B-1 includes an expansion to an existing soybean processing facility if the expansion will be used for the

production of biodiesel.

An Act to provide tax refunds for certain soybean and biodiesel facilities.

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I certify that the attached Act
originated in the

SENATE as Bill No. 214

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 214
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