

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

564L0330

SENATE BILL NO. 78

Introduced by: Senators McNenny, Bartling, and Duniphan and Representatives Turbiville, Brunner, Buckingham, Davis, Hackl, Halverson, Hargens, Hennies, and Jensen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the taxes electric
2 cooperatives pay to certain municipalities.

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

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

5 49-34A-45. A rural electric cooperative serving less than a majority of customers in a
6 municipality ~~not having~~ which does not have a municipally owned system, may, at the option
7 of the municipality, pay in addition to other taxes provided by law, an amount ~~each and every~~
8 ~~year equal to two percent of the total gross revenues received by the cooperative for that year~~
9 to be agreed upon, not to exceed two percent of the total gross revenue collected by the rural
10 electric cooperative for that year, by the electric supplier and the governing body of the
11 municipality. If the parties have not agreed on the amount on or before May first following the
12 calendar year from which the amount is to be paid, the amount to be paid shall be two percent
13 of the total gross revenue collected by the rural electric cooperative from the sale of power
14 distributed to structures and electric service outlets situated within the municipality.

