

AN ACT

ENTITLED, An Act to revise certain provisions pertaining to the disposition of funds collected on local exchange service lines, cellular telephones, and radio pager devices.

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

Section 1. That § 49-31-51 be amended to read as follows:

49-31-51. There is hereby imposed an access fee of fifteen cents per local exchange service line per month, fifteen cents per cellular telephone per month in accordance with the provisions provided in subdivision 34-45-1(7), and fifteen cents per radio pager device per month to pay for the program established in § 49-31-47. The access fee shall be paid by each local exchange subscriber to a local exchange service, or by each cellular telephone or radio pager service subscriber to the service provider, unless the subscriber is otherwise exempt from taxation. The access fee shall be reported as a separate line or service and collected on the regular monthly bill by each local exchange telecommunications company or other service provider operating in this state. On or before the last day of the month following each two-month period, every telecommunications company providing local exchange service or other service provided specified in this section shall remit to the Department of Revenue and Regulation on forms furnished by the department the amount of the access fee collected for that two-month period. The secretary of revenue and regulation may grant an extension of not more than five days for filing a remittance. The Department of Revenue and Regulation shall deposit ninety percent of the money received under §§ 49-31-47 to 49-31-56, inclusive, into the telecommunication fund for the deaf and ten percent in the telecommunication fund for other disabilities. The balance in each fund in excess of an average of three months operating expenditures from the previous state fiscal year may be used by the Department of Human Services to purchase telecommunication assistive devices, communication aids and devices, home modifications and assistive devices, and infrastructure and operational expenses to enhance

communication capacity for persons with disabilities and operational expenses for interpreter certification and services for the deaf.

Section 2. The provisions of this Act are repealed on July 1, 2007.

An Act to revise certain provisions pertaining to the disposition of funds collected on local exchange service lines, cellular telephones, and radio pager devices.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1039

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1039  
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