

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

400M0325

## HOUSE BILL NO. 1039

Introduced by: The Committee on Health and Human Services at the request of the  
Department of Human Services

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

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

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

5 49-31-51. There is hereby imposed an access fee of fifteen cents per local exchange service  
6 line per month, fifteen cents per cellular telephone per month in accordance with the provisions  
7 provided in subdivision 34-45-1(7), and fifteen cents per radio pager device per month to pay  
8 for the program established in § 49-31-47. The access fee shall be paid by each local exchange  
9 subscriber to a local exchange service, or by each cellular telephone or radio pager service  
10 subscriber to the service provider, unless the subscriber is otherwise exempt from taxation. The  
11 access fee shall be reported as a separate line or service and collected on the regular monthly  
12 bill by each local exchange telecommunications company or other service provider operating  
13 in this state. On or before the last day of the month following each two-month period, every  
14 telecommunications company providing local exchange service or other service provided  
15 specified in this section shall remit to the Department of Revenue and Regulation on forms



1 furnished by the department the amount of the access fee collected for that two- month period.  
2 The secretary of revenue and regulation may grant an extension of not more than five days for  
3 filing a remittance. The Department of Revenue and Regulation shall deposit ninety percent of  
4 the money received under §§ 49-31-47 to 49-31-56, inclusive, into the telecommunication fund  
5 for the deaf and ten percent in the telecommunication fund for other disabilities. The balance  
6 in each fund in excess of an average of three months operating expenditures from the previous  
7 state fiscal year may be used by the Department of Human Services to purchase  
8 telecommunication assistive devices, communication aids and devices, home modifications and  
9 assistive devices, and infrastructure and operational expenses to enhance communication  
10 capacity for persons with disabilities and operational expenses for interpreter certification and  
11 services for the deaf.