

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

227M0554

SENATE BILL NO. 137

Introduced by: Senators Adelstein, Duniphan, Kelly, and Lintz and Representatives McCoy, Cutler, Hanks, Hennies, McLaughlin, Murschel, and Pederson (Gordon)

1 FOR AN ACT ENTITLED, An Act to increase the distribution from the education enhancement
2 trust fund.

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

4 Section 1. That § 4-5-29.2 be amended to read as follows:

5 4-5-29.2. Pursuant to S.D. Const., Art. XII, § 6, the state investment officer shall determine
6 the market value of the education enhancement trust fund as of December 31, 2003, and each
7 calendar year thereafter less the investment expenses transferred pursuant to § 4-5-30. The state
8 investment officer shall calculate an amount equal to four eight and twenty-nine hundredths
9 percent of that market value, without invading principal, as eligible for distribution. For the
10 purpose of this section, the term, principal, means the sum of all contributions to the fund.
11 Beginning with the distribution in fiscal year 2007, the market value shall be determined by
12 adding the market value of the trust fund at the end of the sixteen most recent calendar quarters
13 as of December thirty-first, and dividing the sum by sixteen. Upon notice of that amount by the
14 state investment officer, the state treasurer shall transfer the amount from the education
15 enhancement trust fund to the state general fund as soon as practicable after July first of the next



1 fiscal year.