

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

519N0019

## HOUSE BILL NO. 1087

Introduced by: Representatives Dykstra, Gillespie, Gilson, Halverson, Novstrup (David), Olson (Betty), Peters, Sigdestad, and Van Etten and Senators Gant, Abdallah, Albers, McCracken, and Peterson (Jim)

1 FOR AN ACT ENTITLED, An Act to exempt certain materials provided by persons letting  
2 realty improvement contracts from the contractor's excise tax.

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

4 Section 1. That § 10-46A-3 be amended to read as follows:

5 10-46A-3. The tax imposed by this chapter applies to the total contract price including all  
6 labor and materials. Materials include those purchased by the contractor and those purchased  
7 by the person who let the contract or ~~his~~ the person's designee. However, if the person who lets  
8 the contract directly furnishes all or a portion of the materials, the total contract price may be  
9 decreased by the cost of materials directly furnished by such person for an amount not to exceed  
10 ten thousand dollars. No person who directly furnishes the materials may receive an exemption  
11 pursuant to this section for any amount exceeding ten thousand dollars within one calendar year.

