

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

818A0029

## SENATE BILL NO. 13

Introduced by: Senators Hunhoff, Hutmacher, and Kleven and Representatives Waltman, Fitzgerald, and Gleason at the request of the Interim Agriculture Products Committee

1 FOR AN ACT ENTITLED, An Act to revise the tax refund provisions for agricultural facilities.

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

3 Section 1. That § 10-45B-6 be amended to read as follows:

4 10-45B-6. Any person desiring to claim a refund pursuant to § 10-45B-2 or § 10-45B-6.2

5 shall apply for a permit from the secretary at least thirty days prior to commencement of the

6 project. The application for a permit shall be submitted on a form prescribed by the secretary.

7 A separate application shall be made and submitted for each project. Upon approval of the

8 application, the secretary shall issue a permit entitling the applicant to submit refund claims as

9 provided by §§ 10-45B-7 and 10-45B-8. Such permit or refund claims are not assignable or

10 transferable except as collateral or security pursuant to chapter 57A-9.

11 Section 2. That chapter 10-45B be amended by adding thereto a NEW SECTION to read

12 as follows:

13 The refund or credit for an agricultural facility pursuant to § 10-45B-6.2 shall be one hundred

14 percent of the taxes attributed to the project cost if the project cost exceeds five million dollars.