AN ACT

ENTITLED, An Act to provide for the appropriation and distribution of the excise tax on the gross receipts of personal communications system, wireless, and cellular companies, to retroactively apply the appropriations and distribution of the excise tax, and to declare an emergency.

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

Section 1. That chapter 10-33A be amended by adding thereto a NEW SECTION to read as follows:

The secretary shall deposit sixty percent of the revenue collected from the tax imposed by this chapter into the property tax reduction fund and forty percent of the revenue collected from the tax imposed by this chapter into the county telecommunications gross receipts fund. There is hereby created in the state treasury the county telecommunications gross receipts fund.

Section 2. That chapter 10-33A be amended by adding thereto a NEW SECTION to read as follows:

The secretary shall distribute to each county an amount equal to the money deposited in the county telecommunications gross receipts fund times the ratio of population of the county to the total population of all counties. The secretary shall base the allocation of money on the most recent decennial census of the United States Department of Commerce, Bureau of the Census. The secretary shall make distributions from the county telecommunications gross receipts fund each March, June, September, and December. The secretary shall approve vouchers and the state auditor shall draw warrants to pay each county its share of the distribution.

Section 3. The provisions of sections 1 and 2 of this Act apply retroactively to July 1, 2003. Any prior appropriation or distribution of the revenue consistent with these provisions is hereby validated, ratified, and affirmed.

Section 4. That § 10-33A-5 be repealed.

Section 5. That § 10-33A-6 be repealed.

Section 6. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to provide for the appropriation and distribution of the excise tax on the gross receipts of personal communications system, wireless, and cellular companies, to retroactively apply the appropriations and distribution of the excise tax, and to declare an emergency.

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I certify that the attached Act originated in the

SENATE as Bill No. 222

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Secretary of the Senate

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President of the Senate

Attest:

_____
Secretary of the Senate

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Speaker of the House

Attest:

_____
Chief Clerk

Senate Bill No. 222
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