

AN ACT

ENTITLED, An Act to clarify the tax exempt and licensure status of fraternal benefit societies.

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

Section 1. That § 10-44-3 be amended to read as follows:

10-44-3. Farm mutual insurers organized and operating under chapter 58-35 and fraternal benefit societies organized, licensed, or operating under chapter 58-37A are hereby declared to constitute a distinct and separate classification of insurance companies and shall be exempt from the tax imposed by this chapter.

Section 2. That chapter 58-37A be amended by adding thereto a NEW SECTION to read as follows:

The provisions of subdivision 58-37A-38(2) do not apply to any society, order, or association which had a certificate of authority in this state as of July 1, 2006, nor to any society, order, or association which is formed on or after July 1, 2007. Any society, order or association not exempt pursuant to the provisions of this section shall hold a certificate of authority in this state.

An Act to clarify the tax exempt and licensure status of fraternal benefit societies.

\_\_\_\_\_  
I certify that the attached Act  
originated in the

SENATE as Bill No. 46

\_\_\_\_\_  
Secretary of the Senate  
\_\_\_\_\_

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 46

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
\_\_\_\_\_

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

\_\_\_\_\_  
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