AN ACT

ENTITLED, An Act to create and provide for the education enhancement tobacco tax fund and the health care tobacco tax fund.

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

Section 1. That chapter 4-5 be amended by adding thereto a NEW SECTION to read as follows:

There is hereby created in the state treasury the education enhancement tobacco tax fund. All moneys in the education enhancement tobacco tax fund are subject to appropriation by the Legislature through the General Appropriations Act or special appropriations acts for education enhancement programs. Any interest earned shall be credited to the fund.

Section 2. That chapter 4-5 be amended by adding thereto a NEW SECTION to read as follows:

There is hereby created in the state treasury the health care tobacco tax fund. All moneys in the health care tobacco tax fund are subject to appropriation by the Legislature through the General Appropriations Act or special appropriations acts for health care related programs. Any interest earned shall be credited to the fund.

Section 3. That § 10-50-52 be amended to read as follows:

10-50-52. The first thirty million dollars in revenue collected annually pursuant to this chapter shall be deposited in the general fund. All revenue in excess of thirty million dollars collected annually shall be deposited in the tobacco prevention and reduction trust fund. Five million dollars of the revenue deposited annually in the tobacco prevention and reduction trust fund pursuant to this section shall be used to implement the tobacco prevention and reduction program. Thirty-three percent of any revenue deposited in the tobacco prevention and reduction trust fund in excess of five million dollars shall be transferred to the property tax reduction fund. Thirty-three percent of any revenue deposited in the tobacco prevention and reduction trust fund in excess of five million dollars shall be transferred to the education enhancement tobacco tax fund. Thirty-four percent of any

revenue deposited in the tobacco prevention and reduction trust fund in excess of five million dollars shall be transferred to the health care tobacco tax fund.

An Act to create and provide for the education enhancement tobacco tax fund and the health care tobacco tax fund.

I certify that the attached Act originated in the

HOUSE as Bill No. 1139

_____
Chief Clerk

_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1139
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