

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

894R0676

## HOUSE BILL NO. 1225

Introduced by: Representatives Sorenson and Hunhoff (Bernie) and Senators Heidepriem, Abdallah, and Merchant

1 FOR AN ACT ENTITLED, An Act to provide for a process to limit state government spending.

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

3 Section 1. For the fiscal year ending June 30, 2013, and each fiscal year thereafter, no  
4 general appropriations act, supplemental appropriation to a general appropriations act, or  
5 continuous appropriation shall cause the total state general fund appropriations for the fiscal  
6 year to exceed ninety-eight percent of the estimated continuing state general fund revenues for  
7 the fiscal year

8 Section 2. For the fiscal year ending June 30, 2013, and each fiscal year thereafter, no  
9 special appropriation act shall cause the total state general fund special appropriation acts for  
10 the fiscal year to exceed the total estimated one-time general fund revenues for that fiscal year.

11 Section 3. The joint committee on appropriations shall establish by majority vote two  
12 general fund revenue estimates each year prior to the adoption of any general fund appropriation  
13 acts. One estimate shall detail each source of the continuing state general fund revenue for the  
14 current fiscal year and the next fiscal year. One estimate shall detail each source of one-time  
15 general fund revenue for the current fiscal year and the next fiscal year. The committee may



1 revise the revenue estimates established in this section by majority vote.

2 Section 4. For the fiscal year ending June 30, 2013, and each fiscal year thereafter, two  
3 percent of the estimated continuing state general fund revenues for any fiscal year as estimated  
4 in section 3 of this Act shall be appropriated to the budget reserve fund. In no event shall the  
5 cash balance in the budget reserve fund be greater than ten percent of the general fund  
6 appropriation from the general appropriation act for the prior fiscal year. In the event that the  
7 payment to be made into the budget reserve fund would increase the amount in the account to  
8 more than ten percent of the general fund appropriation from the general appropriations act for  
9 the prior fiscal year, the amount exceeding ten percent shall be transferred to the education  
10 enhancement tobacco tax fund, and shall be appropriated solely for the enhancement of  
11 elementary and secondary education.

12 Section 5. That 4-7-39§ 4-7-39 be repealed.

13 ~~4-7-39. The commissioner of the Bureau of Finance and Management shall transfer any~~  
14 ~~unobligated cash remaining after the transfer into the budget reserve fund as required by § 4-7-~~  
15 ~~32 into the property tax reduction fund if the amount in the property tax reduction fund does not~~  
16 ~~exceed fifteen percent of the general fund appropriations in the General Appropriations Act for~~  
17 ~~the previous fiscal year.~~