

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

391S0699

## HOUSE BILL NO. 1224

Introduced by: Representatives Hickey, Blake, Elliott, Fargen, Feinstein, Hubbel, Hunhoff (Bernie), Killer, Kirschman, Kloucek, Kopp, Nelson (Stace), Russell, Sigdestad, and Verchio and Senators Cutler, Holien, Lederman, and Schlekeway

1 FOR AN ACT ENTITLED, An Act to provide a maximum finance charge for payday loans and  
2 title loans.

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

4 Section 1. That § 54-4-44 be amended to read as follows:

5 54-4-44. After procuring such license from the Division of Banking, the licensee may  
6 engage in the business of making loans and may contract for and receive interest charges and  
7 other fees at rates, amounts, and terms as agreed to by the parties which may be included in the  
8 principal balance of the loan and specified in the contract. However, no payday lender or title  
9 lender may contract for or receive a finance charge at a rate, when expressed as an annual  
10 percentage rate, that exceeds thirty-six percent.

