

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

249T0237

## HOUSE BILL NO. 1105

Introduced by: Representatives Hawley, Blake, Bolin, Dennert, Fargen, Gibson, Kirschman, Schrempp, Sigdestad, Sly, Street, White, Willadsen, and Wismer and Senators Maher, Buhl, Frerichs, Juhnke, Rampelberg, Sutton, and Tidemann

1 FOR AN ACT ENTITLED, An Act to increase the energy minerals severance tax and to deposit  
2 the additional revenue in the education enhancement trust fund.

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

4 Section 1. That § 10-39A-1 be amended to read as follows:

5 10-39A-1. For the privilege of severing energy minerals in this state, there is imposed on the  
6 owner or operator of any energy mineral an excise tax, to be termed a "severance tax," equal to  
7 ~~four and one-half~~ nine percent of the taxable value of any energy minerals severed and saved  
8 by or for the owner or operator.

9 Section 2. That § 10-39A-8 be amended to read as follows:

10 10-39A-8. All taxes, interest and penalties imposed and collected by the secretary of revenue  
11 under this chapter shall be distributed as follows:

12 (1) ~~One-half~~ Twenty-five percent shall be returned to the county in which the energy  
13 minerals or mineral products were severed;

14 (2) ~~One-half share~~ Twenty-five percent shall be paid into the state treasury and credited



1 to the general fund; and

2 ~~(3)~~ Fifty percent shall be paid into the education enhancement trust fund as provided in

3 S.D. Const., Art. XII, § 6.