## 2021 South Dakota Legislature

## House Bill 1079

## **AMENDMENT 1079A FOR THE INTRODUCED BILL**

1 2	An Act to limit certain actions that may be taken by the executive branch relative to charitable organizations nonprofit corporations or charitable trusts.
3	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:
4	Section 1. That a NEW SECTION be added:
5	47-24-18. Definitions.
6	Terms as used in this Act mean:
7	(1) "Nonprofit corporation," as defined in § 47-22-1(4);
8	(2) "Charitable trust," as defined in section 4947(a)(1) of the United States Interna
9	Revenue Code as amended and in effect on January 1, 2021.
10	Section 2. That a NEW SECTION be added:
11	47-24-19. ProtectionNonprofit corporationsCharitable organizations.
12	An executive branch agency, bureau, department, division, board, commission
13	officer, or official may not make any annual filing or reporting that is required of

officer, or official may not make any annual filing or reporting that is required of a charitable organization or charitable trust under state statute or federal law stringent, restrictive, or expansive except to the extent the organization or trust has received a state grant or contract, or if the organization or trust is the subject of a state fraud investigation or an enforcement action by the state require any annual filing or reporting of a nonprofit corporation or charitable trust that is more stringent, restrictive, or expansive than that required by state or federal law.

Section 3. That a NEW SECTION be added: 20

## 47-24-20. Exceptions. 21

22 The provisions in § 47-24-19 do not apply to:

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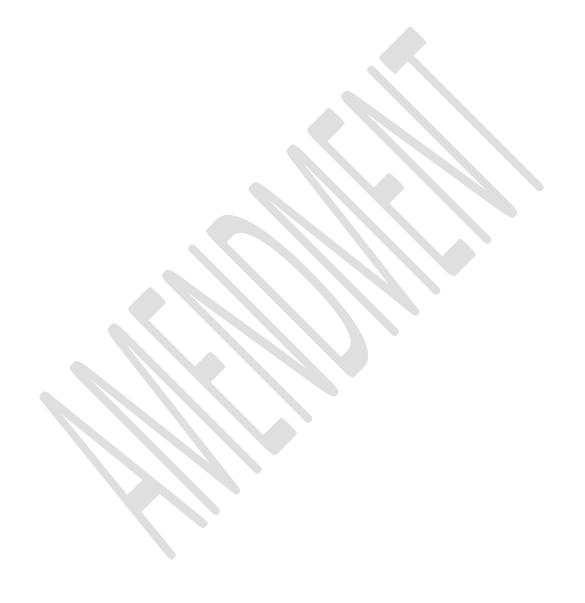
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1 (1) Any information required to determine eligibility for or compliance with a state
2 grant or contract; or
3 (2) Any information required for, or obtained in the course of, a state fraud
4 investigation or an enforcement action by the state.
5 Any information obtained shall be confidential and its disclosure is restricted as



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provided by law.