

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

681U0682

SENATE BILL NO. 240

Introduced by: Senators Begalka and Frerichs and Representatives Peterson, Qualm, and Tyler

1 FOR AN ACT ENTITLED, An Act to provide townships the authority to impose real estate
2 transfer fees.

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

4 Section 1. That § 43-4-21 be amended to read as follows:

5 43-4-21. A fee is hereby imposed at the rate of fifty cents for each five hundred dollars of
6 value or fraction thereof upon the privilege of transferring title to real property in the State of
7 South Dakota, which fee shall be paid by the grantor.

8 In addition to the fee imposed by this section, an organized township may impose, by
9 resolution, an additional fee not to exceed two dollars for each five hundred dollars of value or
10 fraction thereof upon the privilege of transferring title to real property within the boundaries of
11 the township, which fee shall be paid by the grantor. If the governing board of the township
12 adopts a resolution to impose the additional fee, the board shall notify the county register of
13 deeds of the amount of the fee levied by the township before December first of each year. The
14 fee shall be valid for the following calendar year.

15 Section 2. That § 43-4-25 be amended to read as follows:



1 43-4-25. The proceeds of ~~all fees collected under~~ the fee imposed at the rate of fifty cents
2 for each five hundred dollars of value or fraction thereof pursuant to § 43-4-21 shall be remitted
3 on a monthly basis to the credit of the county general fund by the register, ~~who shall obtain a~~
4 ~~receipt therefor from the county treasurer and keep such records as may be prescribed by the~~
5 ~~state auditor general.~~ The proceeds of the additional fee collected on behalf of a township
6 pursuant to § 43-4-21 shall be remitted by the register on a monthly basis to the township
7 treasurer.