



2025 South Dakota Legislature

House Bill 1081

Introduced by: **Representative** Fitzgerald

1 **An Act to revise the disposition of revenues from the precious metals severance tax.**

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

3 **Section 1. That § 10-39-54 be AMENDED:**

4 **10-39-54.** All ~~taxes,~~Except as otherwise provided in this section, all taxes,
5 interest, and penalties imposed and collected by the secretary of revenue under this
6 chapter ~~shall~~ must be distributed as follows:

7 (1) ~~For persons severing precious metals that were in business in the state prior to~~
8 ~~January 1, 1981, all revenues collected shall be deposited in the state treasury and~~
9 ~~credited to the general fund;~~

10 (2) ~~For persons permitted on or after January 1, 1981, for the purpose of~~From persons
11 severing precious metals, eighty percent of the revenues collected shall must
12 be deposited in the state treasury and credited to the general fund, while the
13 remaining twenty percent shall be remitted by the secretary of revenue with the
14 remainder remitted to the treasurer of the county in which the precious metals
15 were severed. When the county has received a total of ~~one~~ three million dollars
16 attributable to ~~any that~~ person subject to the tax, all future revenues attributable
17 to that person ~~shall~~ must be deposited in the state treasury and credited to the
18 general fund. No merger, consolidation or acquisition of a person subject to §§ 10-
19 39-54 to 10-39-54.4, inclusive, by another such person ~~shall~~ may limit the share
20 of revenue due to the county from the person so acquired.

21 ~~However, any~~Any revenues attributed to the severance of precious metals from
22 lands owned or controlled by the ~~State of South Dakota~~ state ~~shall~~ must be deposited in
23 the common school permanent fund.