



2025 South Dakota Legislature

Senate Bill 155

Introduced by: **Senator Howard**

1 **An Act to reduce the amount of net receipts of unclaimed property deposited into**
 2 **the general fund.**

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

4 **Section 1. That a NEW SECTION be added to chapter 43-41B:**

5 There is created in the state treasury the trust fund for unclaimed property. The
 6 fund consists of any net receipts from unclaimed property that exceed the maximum
 7 deposit requirements of section 2 of this Act.

8 The state treasurer shall administer the fund. The purpose of the fund is to provide
 9 for the return of unclaimed property, provide for the payment of audit expenses, and
 10 deposit interest earned into the general fund, in accordance with section 2 of this Act.
 11 Expenditures from the fund must be budgeted through the general appropriation bill as
 12 provided for in section 2 of this Act.

13 **Section 2. That a NEW SECTION be added to chapter 43-41B:**

14 Upon the conclusion of fiscal year 2026, the state treasurer shall, after paying all
 15 claims and any administrative costs associated with the sale of unclaimed property,
 16 deposit into the general fund the net receipts from unclaimed property, up to a maximum
 17 of sixty-two million dollars.

18 Upon the conclusion of fiscal year 2027, and upon the conclusion of each fiscal year
 19 thereafter, the maximum amount of net receipts that the state treasurer shall deposit into
 20 the general fund, in accordance with this Act, is reduced by ten million dollars annually,
 21 until the maximum amount of net receipts deposited into the general fund equals zero.

22 Any net receipts from unclaimed property that exceed the maximum deposit
 23 requirements of this section must be deposited into the trust fund for unclaimed property.

24 The state investment officer shall calculate an amount equal to four percent of the
 25 market value of the trust fund for unclaimed property, without invading principal, as

1 eligible for distribution to the general fund. Beginning with the distribution in fiscal year
2 2028, the market value must be determined by adding the market value of the trust fund
3 at the end of the sixteen most recent calendar quarters as of December thirty-first, and
4 dividing the sum by sixteen. Upon notice of the amount by the state investment officer,
5 the state treasurer shall transfer the amount from the trust fund to the general fund as
6 soon as practicable after July first of the next fiscal year.