

Minutes: Senate Taxation

Friday, February 07, 2025 10:00 AM

Roll Call

Present: Sen. Crabtree, Sen. Grove, Sen. Blanc, Sen. Davis, Sen. Hulse, Sen. Hohn, and Sen. Kolbeck (Steve)

The meeting was called to order by Senator Kolbeck (Steve)

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 29TH

Moved by: Hulse
Second by: Hohn
Action: Prevailed by voice vote

SB 85 : provide property tax relief to certain senior owners of owner-occupied single-family dwellings.

Presented by: Senator Curt Voight
Proponents: Tonchi Weaver, SD Citizens for Liberty, Rapid City
Opponents: Wendy Semmler, Department of Revenue
Nathan Sanderson, South Dakota Retailers Association, Pierre
Matthew M. Bogue, South Dakota Farm Bureau Federation, Huron
David Owen, South Dakota Chamber of Commerce & Industry, Pierre
Lindley Howard, McPherson County Auditor, Leola

THE CHAIR DEFERRED SB 85

MOTION: AMEND SB 177

177B

On page 1, line 1, of the Introduced bill, after "sales" insert " and use"
On page 1, line 4, of the Introduced bill, after "Dakota:" delete "Section 1. That § 10-45-47.1 be AMENDED:
"

On page 1, line 5, of the Introduced bill, after "AMENDED:" delete "10-45-47. 1. "
On page 1, line 5, of the Introduced bill, after "10-45-47.1. " delete "The secretary of revenue may promulgate rules pursuant to chapter 1-26 concerning:
(1) Licensing, including bonding and filing license applications;
(2) The filing of returns and payment of the tax;
(3) Determining the application of the tax and exemptions;
(4) Taxpayer record-keeping requirements; and
(5) Determining auditing methods; and
(6) The filing for tax refund applications."

On page 1, line 13, of the Introduced bill, after "That" delete " chapter 10-45 be amended with"

On page 1, line 13, of the Introduced bill, after "SECTION" insert " be added to chapter 1-16G"

On page 1, line 14, of the Introduced bill, delete " 2 to 6" and insert " 1 to 4"

On page 2, line 24, of the Introduced bill, after "That" delete " chapter 10-45 be amended with"

On page 2, line 24, of the Introduced bill, after "SECTION" insert " be added to chapter 1-16G"

On page 2, line 27, of the Introduced bill, delete " this chapter" and insert " chapters 10-45 and 10-46, excluding any tax imposed by a municipality"

On page 3, line 1, of the Introduced bill, delete " 10-45" and insert " 1-16G"

On page 3, line 10, of the Introduced bill, delete " this chapter" and insert " chapters 10-45 and 10-46"

On page 3, line 11, of the Introduced bill, after "That" delete " chapter 10-45 be amended with"

On page 3, line 11, of the Introduced bill, after "SECTION" insert " be added to chapter 1-16G"

On page 3, line 13, of the Introduced bill, delete " Department of Revenue" and insert " Governor's Office of Economic Development"

On page 3, line 14, of the Introduced bill, delete " section 2" and insert " section 1"

On page 3, line 18, of the Introduced bill, after "center." delete "Section 6. That a NEW SECTION be added to chapter 10-45:

"

On page 3, line 19, of the Introduced bill, after "10-45:" delete "An application for a refund as provided for in this Act must be made at the time and in the manner directed by the Governor's Office of Economic Development and must include information sufficient to permit the Department of Revenue to verify the sales and use taxes paid and the refund status of the sale or use."

Moved by: Crabtree
Second by: Hulse
Action: Prevailed by voice vote

SB 177 : provide a sales and use tax refund for goods and services related to data center operations.

Presented by: Senator David Wheeler

Proponents: Michael Lee Bockorny, Economic Dev. Professionals Association, Aberdeen
Michael Lee Bockorny, Aberdeen Development Corporation, Aberdeen
Steve Willard, South Dakota Electric Utility Companies, Pierre
Kevin Kouba, Otter Tail Power Company, Milbank
Jordan Lamb, Oahe Electric Cooperative, Blunt
Caleb Shepherd, Sully County Commissioner, Onida
Austin Gross, Vice Chair Sully County Planning and Zoning Commission, Onida
Walt Wendland, Ringneck Energy, Onida
Pamela A. Bonrud, NorthWestern Energy, Sioux Falls
David Owen, South Dakota Chamber of Commerce & Industry, Pierre
Justin G. Smith, Greater Sioux Falls Chamber of Commerce, Sioux Falls
Debra Owen, Black Hills Corp, Rapid City
Nick Phillips, Applied Digital Corporation, Chattanooga, TN (Handout(s) 1)
Kyle Peters, A1 Development Solutions, Sioux Falls

Opponents: Joe Fiala, Commissioner, Governor's Office of Economic Development
Doug Schinkel, Department of Revenue

MOTION: DO PASS SB 177 AS AMENDED

Moved by: Crabtree
Second by: Davis
Action: Prevailed by Majority Members Elect (6-1-0-0)

Voting Yes: Crabtree, Grove, Blanc, Davis, Hulse, and Kolbeck (Steve)

Voting No: Hohn

HB 1027 : repeal obsolete provisions pertaining to noncollecting retailers.

Presented by: Doug Schinkel, Department of Revenue

MOTION: DO PASS HB 1027

Moved by: Hulse

Second by: Blanc

Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Crabtree, Grove, Blanc, Davis, Hulse, Hohn, and Kolbeck (Steve)

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1027 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1028 : revise certain references to the Internal Revenue Code.

Presented by: Brandi Eckert, Department of Revenue

MOTION: DO PASS HB 1028

Moved by: Hulse

Second by: Grove

Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Crabtree, Grove, Blanc, Davis, Hulse, Hohn, and Kolbeck (Steve)

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1028 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Crabtree

Second by: Davis

Action: Prevailed by voice vote

Kaitlyn Baucom, Committee Secretary

/s/ STEVE KOLBECK
Steve Kolbeck, Chair