

2025 South Dakota Legislature

House Bill 1081**AMENDMENT 1081A
FOR THE INTRODUCED BILL**

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;~~ For persons severing precious metals that were in
10 business prior to July 1, 2025, four hundred thousand dollars will be paid annually
11 for five consecutive years to the county where the mine is located, with the
12 remaining amount of tax paid being remitted to the state general fund. When the
13 county has received a total of two million dollars attributable to that person subject
14 to the tax, all future revenues attributable to that person must be deposited in the
15 state treasury and credited to the general fund. No merger, consolidation or
16 acquisition of a person subject to §§ 10-39-54 to 10-39-54.4, inclusive, by another
17 such person may limit the share of revenue due to the county from the person so
18 acquired;

19 (2) ~~For persons permitted on or after January 1, 1981,~~ July 1, 2025, ~~for the purpose~~
20 ~~of~~ From persons ~~severing precious metals, eighty percent of the revenues collected~~
21 ~~shall~~ must be deposited in the state treasury and credited to the general fund,
22 while the remaining twenty percent ~~shall be remitted by the secretary of revenue~~
23 ~~with the remainder remitted~~ to the treasurer of the county in which the precious
24 metals were severed. When the county has received a total of ~~one~~ three million
25 dollars attributable to ~~any~~ that person subject to the tax, all future revenues
26 attributable to that person ~~shall~~ must be deposited in the state treasury and

1 credited to the general fund. No merger, consolidation or acquisition of a person
2 subject to §§ 10-39-54 to 10-39-54.4, inclusive, by another such person ~~shall~~ may
3 limit the share of revenue due to the county from the person so acquired.

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

AMENDED