

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

861X0053

SENATE LOCAL GOVERNMENT ENGROSSED NO. **SB 2** - 01/20/2016

Introduced by: Senators Ewing, Haggar (Jenna), Peterson (Jim), and Vehle and Representatives Heinemann (Leslie), Conzet, Duvall, Feickert, Klumb, May, and Schaefer at the request of the Interim Committee on County Government

1 FOR AN ACT ENTITLED, An Act to revise the distribution of the revenue from the alcoholic
2 beverage fund.

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

4 Section 1. That § 35-5-22 be amended to read:

5 35-5-22. Twenty-five percent of all of the revenues deposited in the alcoholic beverage fund
6 shall revert to the municipalities. ~~The~~ Each municipality's share of each municipality of such the
7 fund shall be determined by the ratio of the population of such each municipality ~~has~~ to the total
8 population of all the municipalities sharing in the receipts ~~from such tax~~. The Department of
9 Revenue shall make ~~such the~~ reversion by remitting not later than November first, February
10 first, May first, and August first, of each year to the finance officer of each ~~such~~ municipality
11 its share of ~~such fund, and the fund~~. The amount so received by such each municipality shall be
12 deposited in ~~its~~ the municipality's general fund.

13 Section 2. That chapter 35-5 be amended by adding a NEW SECTION to read:

14 Twenty-five percent of all of the revenues deposited in the alcoholic beverage fund shall



1 revert to the counties. Twenty-five percent of such alcoholic beverage fund so distributed to
2 counties shall be divided equally by all counties. The remaining seventy-five percent shall be
3 allocated to counties by the ratio of the population of each county to the total population of all
4 the counties sharing in the receipts. The Department of Revenue shall make the reversion by
5 remitting not later than November first, February first, May first, and August first, of each year
6 to the county auditor of each county its share of the fund. The amount received by each county
7 shall be deposited in the county's general fund to be dedicated to expenses related to county law
8 enforcement, jails, state's attorneys, public defenders, and court-appointed attorneys.