

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

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HOUSE BILL NO. 1126

Introduced by: Representatives Mickelson, Beal, Deutsch, Dryden, Duvall, Harrison, Hunt, Jensen (Alex), Johns, Langer, Otten (Herman), Partridge, Rasmussen, Schoenbeck, Solum, Steinhauer, Verchio, Westra, Wiik, and Willadsen and Senators Curd, Greenfield (Brock), Haverly, Heineman (Phyllis), Peters, and Tieszen

1 FOR AN ACT ENTITLED, An Act to exempt certain entities from provisions related to money
2 lending licenses.

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

4 Section 1. That § 54-4-37 be amended to read:

5 54-4-37. The following entities are exempt from the provisions of this chapter:

6 (1) Any state bank and its subsidiary;

7 (2) Any national bank and its subsidiary;

8 (3) Any bank holding company and its subsidiary;

9 (4) Any other federally insured financial institution, its holding company and subsidiary;

10 ~~and~~

11 (5) Any South Dakota chartered trust company;

12 (6) Any entity which has made or acquired no more than ten loans to other entities within
13 any calendar year; and



1 (7) Any entity that purchases and services commercial loans acquired for investment
2 purposes.

3 Section 2. That § 54-14-20 be amended to read:

4 54-14-20. The State of South Dakota, any political subdivision of the state, and any quasi-
5 governmental organization created by an executive order of the State of South Dakota and any
6 subsidiary of such organization; any nonprofit corporation formed pursuant to chapter 47-22;
7 any nonprofit United States Treasury Community Development Financial Institution, Small
8 Business Administration Certified Development Company, or Regional Revolving Loan Fund;
9 any nonresidential real estate mortgage licensee; or any commercial club, chamber of commerce,
10 or industrial development corporation formed pursuant to § 9-12-11 or 9-27-37 is exempt from
11 the requirements of this chapter.