

2020 South Dakota Legislature  
**Senate Bill 178**

**AMENDMENT 178A FOR THE INTRODUCED BILL**

1 **An Act to increase ~~funding for counties and townships by increasing~~ the excise tax**  
2 **rate on motor fuel.**

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

4 **Section 1.** That § 10-47B-4.2 be AMENDED:

5 **10-47B-4.2. Motor fuel and special fuel excise tax rate.**

6 The fuel excise tax rate for motor fuel and special fuel is ~~\$.28~~ \$.33 per gallon.

7 **Section 2.** That § 10-47B-149 be AMENDED:

8 **10-47B-149. Monthly adjustment to motor fuel tax fund balance.**

9 At the beginning of each month, the secretary shall make adjustments to the motor  
10 fuel tax fund balance in the following manner:

- 11 (1) Each July transfer an amount to the snowmobile trails' fund equal to the product of  
12 multiplying the number of licensed snowmobiles as of July first, times one hundred  
13 twenty-five gallons, times the rate of tax provided for motor fuel under this chapter;
- 14 (2) Each July transfer from the amount of motor fuel tax collected from the motor fuel  
15 used for nonhighway purposes to the value added agriculture subfund created in  
16 chapter 1-53 one hundred thirty-five thousand dollars;
- 17 (3) Each July transfer from the amount of motor fuel tax collected from the motor fuel  
18 used for nonhighway purposes to the Department of Agriculture seventy-five  
19 thousand dollars to be used for a grant to the Northern Crops Institute;
- 20 (4) Transfer to the motor fuel tax administration account two percent of the deposits  
21 made to the motor fuel tax fund during the preceding month to cover the expenses  
22 incurred in administering all motor fuel and special fuel tax laws of this state. On or  
23 about August first of each year, the preceding year's remaining motor fuel tax  
24 administration account balance, less an amount to provide cash flow within the

- 1 account, shall be transferred to the state highway fund. The remaining balance is  
2 to be calculated by subtracting from the total of monthly deposits, the amount of  
3 corresponding expenses. The expense of administering the chapters relating to  
4 motor and special fuel taxation shall be paid out of appropriations made by the  
5 Legislature;
- 6 (5) Each July transfer from the amount of motor fuel tax collected from the motor fuel  
7 used for nonhighway purposes to the coordinated natural resources conservation  
8 fund five hundred thousand dollars;
- 9 (6) Each July transfer to the parks and recreation fund an amount equal to the product  
10 of multiplying the number of licensed motorized boats as of the previous December  
11 thirty-first, times one hundred forty gallons, times the rate of tax provided for motor  
12 fuels under this chapter;
- 13 (7) Each July distribute to counties and townships as provided in § 10-47B-149.1 seven  
14 hundred thousand dollars;
- 15 (8) Transfer to the member jurisdictions taxes collected under the provisions of the  
16 international fuel tax agreement; and
- 17 (9) ~~Transfer an amount to the local bridge improvement grant fund, established under~~  
18 ~~§ 32-11-38, equal to the product of multiplying five cents by the number of gallons~~  
19 ~~from which the fuel excise rate under § 10-47B-4.2 was collected during the~~  
20 ~~preceding month; and~~
- 21 ~~(10)~~ Transfer the remaining cash balance to the state highway fund.