AN ACT

ENTITLED, An Act to allow the Department of Revenue to suspend a motor vehicle license, title, or registration if the check used to pay for the motor vehicle's fees is dishonored, to require the department to issue credit to the county treasurer, and to revise the fee that political subdivisions may charge for dishonored checks.

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

Section 1. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as follows:

If the county treasurer has issued a distress warrant pursuant to § 10-56-24 and payment or restitution has not been made for the motor vehicle registration, title, or license, the department shall suspend such registration, title, or license. The department shall also issue a credit for the amount of the fee remitted to the department for registering or titling the motor vehicle.

Section 2. That § 10-56-1 be amended to read as follows:

10-56-1. The procedures provided for in this chapter apply to the collection of any delinquent taxes imposed by chapters 10-43, 10-44, 10-45, 10-46, 10-46A, 10-46B, 10-47B, 10-50, 10-52, 32-3, 32-5, and 32-5B and §§ 50-11-19 and 50-4-13 to 50-4-17, inclusive.

Section 3. That § 10-56-24 be amended to read as follows:

10-56-24. A distress warrant may be issued to recover license plates or tags, issued pursuant to chapter 32-5 or 32-9, if the purchaser purchased the license plates or paid the excise tax pursuant to chapter 32-5B or paid fees pursuant to chapter 32-3 with an insufficient funds or no account check. If the check is not honored pursuant to § 57A-3-422 and is not made good within ten days, the county treasurer shall report the matter to the state's attorney for prosecution.

Section 4. That § 57A-3-422 be amended to read as follows:

57A-3-422. Any person who issues a check or other draft to the state or any of its political subdivisions which is not honored for any of the following reasons upon presentation is liable for all reasonable costs and expenses of collection:

(1) The drawer's account is closed;

(2) The drawer's account does not have sufficient funds; or

(3) The drawer does not have sufficient credit with the drawee.

The costs and expenses provided for in this section are considered reasonable if they do not exceed thirty dollars.

An Act to allow the Department of Revenue to suspend a motor vehicle license, title, or registration if the check used to pay for the motor vehicle's fees is dishonored, to require the department to issue credit to the county treasurer, and to revise the fee that political subdivisions may charge for dishonored checks.

I certify that the attached Act originated in the

SENATE as Bill No. 122

_____
Secretary of the Senate

_____
President of the Senate

Attest:

_____
Secretary of the Senate

_____
Speaker of the House

Attest:

_____
Chief Clerk

Senate Bill No. 122
File No. ____
Chapter No. _____

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State