

State of South Dakota

EIGHTY-SEVENTH SESSION LEGISLATIVE ASSEMBLY, 2012

627T0618

HOUSE BILL NO. 1197

Introduced by: Representatives Rozum, Moser, Sly, Street, Venner, and Verchio and
Senators Lederman, Nelson (Tom), Rave, Rhoden, Schlekeway, Tieszen, and
Vehle

1 FOR AN ACT ENTITLED, An Act to exempt air ambulance services from sales and use taxes.

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

3 Section 1. That chapter 10-45 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 There are hereby exempted from the provisions of this chapter and the computation of the
6 tax imposed by it, the gross receipts from the sale of air ambulance services.

7 Section 2. That chapter 10-46 be amended by adding thereto a NEW SECTION to read as
8 follows:

9 There are hereby exempted from the provisions of this chapter and the computation of the
10 tax imposed by it, the use of air ambulance services.

11 Section 3. That § 10-45-12.1 be amended to read as follows:

12 10-45-12.1. The following services enumerated in the Standard Industrial Classification
13 Manual, 1987, as prepared by the Statistical Policy Division of the Office of Management and
14 Budget, Office of the President are exempt from the provisions of this chapter: health services



1 (major group 80); educational services (major group 82) except schools and educational services
2 not elsewhere classified (industry no. 8299); social services (major group 83); agricultural
3 services (major group 07) except veterinarian services (group no. 074) and animal specialty
4 services, except veterinary (industry no. 0752); forestry services (group no. 085); radio and
5 television broadcasting (group no. 483); railroad transportation (major group 40); local and
6 suburban passenger transportation (group no. 411) except limousine services; school buses
7 (group no. 415); trucking and courier services, except air (group no. 421) except collection and
8 disposal of solid waste; farm product warehousing and storage (industry no. 4221);
9 establishments primarily engaged in transportation on rivers and canals (group no. 444);
10 establishments primarily engaged in air transportation, certified carriers (group no. 451);
11 ~~establishments primarily engaged in air transportation, noncertified carriers (group no. 452)~~
12 ~~except chartered flights (industry no. 4522) and airplane, helicopter, balloon, dirigible, and~~
13 ~~blimp rides for amusement or sightseeing;~~ pipe lines, except natural gas (major group 46);
14 arrangement of passenger transportation (group no. 472); arrangement of transportation of
15 freight and cargo (group no. 473); rental of railroad cars (group no. 474); water supply (industry
16 no. 4941); sewerage systems (industry no. 4952); security brokers, dealers and flotation
17 companies (group no. 621); commodity contracts brokers and dealers (group no. 622); credit
18 counseling services provided by individual and family social services (industry no. 8322);
19 construction services (division C) except industry no. 1752 and locksmiths and locksmith shops;
20 consumer credit reporting agencies, mercantile reporting agencies, and adjustment and
21 collection agencies (group no. 732), if the debt was incurred out-of-state and the client does not
22 reside within the state. The following are also specifically exempt from the provisions of this
23 chapter: financial services of institutions subject to tax under chapter 10-43 including loan
24 origination fees, late payment charges, nonsufficient fund check charges, stop payment charges,

1 safe deposit box rent, exchange charges, commission on travelers checks, charges for
2 administration of trusts, interest charges, and points charged on loans; commissions earned or
3 service fees paid by an insurance company to an agent or representative for the sale of a policy;
4 services of brokers and agents licensed under Title 47; the sale of trading stamps; rentals of
5 motor vehicles as defined by § 32-5-1 leased under a single contract for more than twenty-eight
6 days; advertising services; services provided by any corporation to another corporation which
7 is centrally assessed having identical ownership and services provided by any corporation to a
8 wholly owned subsidiary which is centrally assessed; continuing education programs; tutoring;
9 vocational counseling, except rehabilitation counseling; and motion picture rentals to a
10 commercially operated theater primarily engaged in the exhibition of motion pictures.