

AN ACT

ENTITLED, An Act to revise the proration of ethanol payments to ethanol producers.

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

Section 1. That § 10-47B-162 be amended to read as follows:

10-47B-162. A production incentive payment of twenty cents per gallon is available to ethanol producers for ethyl alcohol which is fully distilled and produced in South Dakota. To be eligible for this payment, the ethyl alcohol shall be denatured and subsequently blended with gasoline to create ethanol blend. The ethyl alcohol shall be ninety-nine percent pure and shall be distilled from cereal grains. Annual production incentive payments for any facility may not exceed one million dollars. No facility may receive any production incentive payments in an amount greater than ten million dollars. The cumulative annual production incentive payments made under this section may not exceed an amount that has been deposited into the ethanol fuel fund in the state treasury. Payments from the ethanol fuel fund shall be prorated each month based on the claims received for that month. All moneys available in the ethanol fuel fund at the end of the fiscal year shall be prorated based upon all unpaid claims received through the end of that fiscal year.

An Act to revise the proration of ethanol payments to ethanol producers.

I certify that the attached Act
originated in the

SENATE as Bill No. 35

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 35

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