

<u>BILL NUMBER</u>	<u>TITLE</u>	<u>DESCRIPTION OF BILL</u>
HB1008	An Act to permit the immediate reclassification of nonagricultural acreage property under certain circumstances.	Prior to passage of this bill, sales that tested positive for NonAg-Z had to be classified and taxed as such for one year. Bill allows directors of equalization to value the property the following year just like other property if there is an immediate change in use after the sale.
HB1042	An Act to revise certain requirements regarding the license renewal of insurance producers.	Requires continuing education renewal of those insurance agents over 65 but doesn't require continuing education for those producers unless they actually sell, solicit or negotiate insurance
HB1043	An Act to revise certain provisions regarding life insurance exclusions.	Includes group life and accidental death and dismemberment policies to the provisions of SDCL 58-15-45 which sets the permissible exclusions for life insurance policies.
HB1044	An Act to clarify the application of certain provisions relating to the exemption of debt cancellation contracts from insurance regulation.	Corrects an incorrect cross reference to banking laws in code relating to the exemption of debt cancellation contracts.
HB1045	An Act to modify the requirements for coordination of benefits between health plans.	Revises how group and individual plans coordinate benefits when a person is covered by more than one insurance plan.
HB1047	An Act to revise certain sales and use tax provisions related to products and substances associated with the application of pesticides and to clarify the definition of pesticides.	Clean-up legislation to ensure the definition of pesticides and related products is uniform in all state tax codes where the definition appears.
HB1048	An Act to revise the reporting and remittance requirements for certain state taxes and to declare an emergency.	Creates a uniform reporting requirement for licensees and amends the reporting requirements so all persons file monthly unless the secretary permits them to file on some other timeframe or they file electronically.
HB1049	An Act to revise the effective dates of certain laws regarding the regulation of motor vehicle license plates.	Extends the deadline for implementation of the plate with owner system from Jan. 1, 2007 to Jan. 1, 2008 to allow for completion of computer changes to accommodate the new system.

HB1050	An Act to revise certain provisions regarding the taxation of motor fuel and the refunding of motor fuel taxes.	Allows the purchaser or end consumer to obtain a refund of motor fuel excise tax in situations where the fuel is used for non-highway purposes (for example, mixed with something else to make windshield washer fluid or used as racing fuel in vehicles used off public highways in organized racing events).
HB1054	An Act to revise certain provisions regarding an increase of the prizes that certain lotteries may award.	Charitable, civic and veterans organizations are allowed by law to hold bingo and lotteries (raffles) with local government permission; this bill specifies that the actual value of a lottery prize be stated before any chances for the lottery can be sold.
HB1058	An Act to revise certain provisions regarding investigations of the Division of Insurance.	Specifies that investigations conducted by the division be completed within 24 months; if not completed within the timeframe, they will be presented to the Secretary of Revenue and Regulation. If not completed within 60 days of presentation, they will be turned over to the Attorney General for review.
HB1069	An Act to prohibit the public sale of tax certificates.	Previously, if property taxes are not paid, they're sold on the 3rd Monday in December each year at a public sale. The purchaser of the taxes receives a tax certificate. This bill prohibits the sale of any tax certificates after July 1, 2006 and makes the county the holder of any such certificates.
HB1070	An Act to prohibit insurers from taking certain actions based on receipt of a notice of hearing and charges against insurance producers and to require that persons receiving such notice also receive notice of the final determination of the matter.	Prohibits the termination of an agent by an insurance company based solely upon the receipt of a notice of hearing, and specifies who must be notified when an agent has had a notice of hearing issued regarding his license.
HB1081	An Act to exempt from the sales and use taxes certain maintenance items used on agricultural machinery and equipment and to declare an emergency.	Exempts from sales and use tax, maintenance items and services on agricultural equipment and machinery and irrigation equipment. Oil, filters, antifreeze, detailing or cleaning services and windshield washer fluid as well as other fluids qualify for the exemption.
HB1084	An Act to authorize counties to regulate the operation of certain off-road vehicles in highway ditches.	Allows county commissions to pass ordinances prohibiting the use of off-road vehicles in the ditches of any section of highway under the county's jurisdiction.

HB1097	An Act to permit municipalities to refund certain sales and use taxes to contractors and subcontractors.	Companion bill to 2005 legislation under which a contractor could apply for a refund of state sales or use tax paid on tangible personal property if the property was fabricated by the contractor in SD then used outside the state in a tax exempt project. This allows municipalities to enact ordinances to refund the municipal tax paid in such situations.
HB1098	An Act to exempt swine and cattle semen from sales and use taxes.	Exempts swine and cattle semen from sales and use tax if it is used for agricultural purposes.
HB1107	An Act to clarify the definition of a salvage vehicle.	Clarifies the circumstances under which a vehicle can be defined as a salvage vehicle.
HB1110	An Act to provide compensation to certain retailers for collecting and remitting the sales tax after a certain threshold is met. (NOTE: This bill was vetoed by the Governor but the veto was overridden by the SD Legislature)	Provides for a monthly collection allowance of 1.5% of the tax due up to a maximum of \$70 for retailers who collect and file state sales tax. Allowance becomes effective when a balance of \$10 million is reached in a special tax relief fund for Streamlined Sales Tax Project revenues.
HB1111	An Act to require certain third party administrators to provide reports of claims experience upon request.	Requires that certain third party administrators provide reports of claims experience upon request by an employer.
HB1112	An Act to exempt certain real property owned by local industrial development corporations from property taxation.	Exempts from property tax the first \$100,000 of value of property owned by local industrial development corporations if the corporations are established to promote economic development within their communities.
HB1123	An Act to exempt feed for certain game birds from the sales and use tax.	Adds gross receipts from the sale of feed for pheasants, partridges and quail to the list of feeds that are exempt from sales and use tax. To receive the exemption, the feed must be used by farmers and ranchers who are actively engaged in the business of raising such birds.
HB1127	An Act to authorize the Gaming Commission to fund gambling addiction treatment programs.	Allows the Gaming Commission to give up to \$30,000 annually to the Department of Human Services to fund gambling addiction treatment programs.

HB1129	An Act to exempt certain facilities used for business incubators from property taxation.	Exempts from property tax, facilities used for business incubators. Business incubators are facilities which support the development of start-up businesses.
HB1130	An Act to revise the definition of a temporary supplemental lot for use by vehicle dealers.	Expands the definition of "temporary supplemental lot" to include a lot which is set up for a manufacturer-sponsored event.
HB1135	An Act to revise certain provisions relating to domestic limited liability companies, domestic limited liability partnerships, and the appointment of certain agents.	Allows limited liability companies and limited liability partnerships to act as registered agents for purposes of filing with the Secretary of State. Also requires an agent's written consent prior to listing them as an agent.
HB1139	An Act to define the use of vehicles bearing dealer's demonstration or in-transit permits and to revise the penalty for the misuse of such permits.	Specifies the conditions under which dealer-owned vehicles can be used by dealer employees or prospective buyers for noncommercial purposes.
HB1154	An Act to impose an excise tax on the gross receipts from the sale and use of farm machinery, farm attachment units, and irrigation equipment, to exempt the gross receipts from the sale of farm machinery, farm attachment units, and irrigation equipment from sales and use tax, and to declare an emergency.	Removes the sale, resale or lease of farm machinery, attachment units and irrigation equipment from current sales tax laws and places them in a new chapter. Also imposes a 4% excise tax on the gross receipts from such transactions.
HB1164	An Act to revise the taxation of leased motorcycles and motorized bicycles.	Treats leased motorcycles and motorized bicycles the same as other vehicles for motor vehicle excise tax purposes.
HB1167	An Act to create a tax relief fund and to dedicate certain sales and use tax revenue received by the state through the Streamlined Sales and Use Tax Agreement.	Creates a tax relief fund with monies received by the state through the Streamlined Sales Tax Agreement. The funds will be used for future property tax relief or reduced tax rates.
HB1174	An Act to revise certain provisions concerning business improvement districts.	Specifies that a notice of intent to create a business improvement district (BID) need only be sent to people located WITHIN the proposed BID area. Also creates a mechanism for dissolving a BID.
HB1188	An Act to revise certain insurance liquidity provisions for private placement policies.	Allows insurers to withhold cash values and death benefits beyond the normal timeframes for variable life and annuity contracts but only for qualified investors as defined under Securities' laws.

HB1189	An Act to exempt the value of motor vehicles donated to certain nonprofit corporations from state taxes.	Exempts from motor vehicle excise tax any vehicle donated to a nonprofit corporation that will then donate the vehicle to a needy person or family.
HB1206	An Act to provide contractors' excise, sales, and use tax refunds for the filming of certain motion pictures, documentaries, television advertisements, or television films.	Provides refunds of sales, use and contractors' excise tax for certain filming projects with \$250,000 or more in taxable costs incurred in South Dakota.
HB1209	An Act to revise certain provisions concerning money lending.	Includes definitions of "short-term consumer loan" and "title loan" in current money lending statutes, specifies what such lenders must include in their contracts, and applies a rollover limit to such loans.
HB1224	An Act to revise certain provisions regarding the prior approval of premium rates for certain health benefit plans.	Changes the prior approval requirement for individual health plans which are actively being marketed in South Dakota to a file and use format.
HB1226	An Act to expand the tax refund for ag processing facilities to include expansions to existing facilities and to revise the time period in which an application must be submitted.	Expands the tax refund program for new ag processing facilities to include expansions to existing facilities and allows applications to be submitted up to 180 days after the date of construction.
HB1227	An Act to provide a property tax exemption for coal-fired power plants upgrading pollution control equipment.	Provides a property tax exemption to coal-fired power plants that perform environmental upgrades worth \$10 million or more.
HB1232	An Act to revise certain provisions concerning the freeze on property assessments for disabled and senior citizens.	Specifies that applications for the freeze on property assessment program must be submitted by April 1st but allows a person who misses the deadline but otherwise qualifies for the program to petition the county commission to have their taxes recalculated and abated.
HB1233	An Act to provide for the establishment and operation of artisan distillers and to revise certain provisions concerning farm wineries.	Creates a new class of liquor license for artisan distillers, sets an annual license fee of \$500 for the licenses, specifies the distiller must get at least 30% of their raw materials from SD, and allows them to produce up to 50,000 gallons of product annually.
HB1237	An Act to make an appropriation to fund tax refunds for elderly and disabled persons and to revise the income eligibility requirements for property tax and sales tax refunds.	Appropriates \$1 million for the Tax Refund for Elderly and Disabled Individuals Program and revises the income requirements for the program.

HB1241	An Act to reappropriate certain moneys to fund sales tax on food refunds.	Reappropriates \$4,250,000 to fund the sales tax on food refund program.
SB25	An Act to revise certain provisions concerning motor carrier regulation and to transfer the authority to regulate motor carriers from the Public Utilities Commission to the Department of Revenue and Regulation.	Moves the Single State Registration Program from the Public Utilities Commission to Revenue and Regulation and updates certain portions of the program.
SB39	An Act to revise certain provisions regarding petroleum and motor fuels testing, quality, and labeling.	Clarifies the definitions of certain types of fuels and allows the Department of Public Safety to promulgate rules for the testing and labeling of such fuels.
SB42	An Act to update and revise certain provisions pertaining to saddlemount motor vehicle combinations.	Allows motor carriers to transport vehicles using a double or triple saddlemount combination if the carrier complies with the USDOT regulations covering such combinations.
SB44	An Act to repeal certain provisions regarding waiting periods for the filing of insurance rates.	Deletes the provisions of the law providing for a waiting period prior to new rates becoming effective for property casualty.
SB45	An Act to modify certain requirements for group health coverage for premature births, congenital defects, and birth abnormalities.	Treats birth abnormalities and congenital defects as preexisting conditions rather than allowing the conditions to be excluded completely by replacement plans.
SB46	An Act to clarify the taxes for certain life insurance premiums and annuity considerations.	Clarifies that the original intent of allowing a premium reduction only for that amount of a particular policy that was over \$100,000 for life insurance or over \$500,000 for an annuity had the lower tax. Contained a retroactive clause so the legislation is effective back to the date of the original legislation in 2001.
SB47	An Act to allow health maintenance organizations to rate employer sponsored plans without prior approval.	Removes the requirement for health maintenance organizations (HMO's) to file employer group health rates for approval. HMO's were the only group carriers required to file their group health rates.

SB49	An Act to modify the requirements for health discount plans.	Clarifies the definition of health discount plans and requires the entities providing the actual plans to be registered with the State.
SB51	An Act to revise certain dates pertaining to references to the Internal Revenue Code.	Annual bill to update current statutes to reflect the latest changes in the Internal Revenue Code.
SB52	An Act to eliminate the requirement for a signature on certain tax applications.	As the Department no longer utilizes paper applications, this bill eliminates the need for a signature on a contractors' excise tax license application.
SB67	An Act to revise the amnesty provisions for sellers under the Streamlined Sales and Use Tax Agreement.	Allows volunteer Streamlined Sales Tax Agreement sellers more time for amnesty by extending the amnesty period for an additional 12 months after an adequate number of certified service providers and certified automated systems are certified by the SSTP governing board.
SB68	An Act to revise certain provisions regarding the administration of trusts and estates.	Gives the Division of Banking discretion in setting timeframes for examining trust companies, allows more flexibility in providing bond/insurance coverage for investors, and improves confidentiality and security for those who are organizing trusts in South Dakota.
SB69	An Act to revise certain provisions relating to insurable interests and to declare an emergency.	Clarifies that a trust can have an insurable interest but maintains the integrity of the current insurance interest standards by not expanding it to allow investor owned life insurance or allowing those that are not closely related to purchase life insurance.
SB87	An Act to require a broker to obtain written consent to advertise or market property on behalf of an owner.	Requires a broker to get written consent from the property owner before they can advertise or market a property for sale.
SB92	An Act to revise the formula for determining the amount of the sales, use and contractors' excise tax refund provided to certain new business facilities.	Changes the thresholds a project must meet to qualify for a refund and the percentage that can be refunded under the sales, use, and contractors' excise tax refund program for new or expanded business facilities.

SB97	An Act to allow the governing body of taxing districts to automatically refer a property tax opt out to the voters.	Gives governing bodies for taxing jurisdictions the power to automatically refer property tax opt-outs to a vote of the taxpayers. Prior to passage of the bill, only school districts could automatically refer such measures.
SB98	An Act to limit the transfer or renewal of certain alcohol beverage licenses.	Specifies the conditions under which alcohol beverage licenses can be transferred and includes provisions that all state taxes be paid and the licensee must have all appropriate tax licenses before the license can change hands.
SB107	An Act to revise the definition of manufacturer as it relates to the ownership of certain motor vehicle dealerships.	Allows a motorcycle manufacturer to build up to 250 motorcycles before he is restricted from operating as a manufacturer and a dealer at the same time.
SB133	An Act to revise certain provisions relating to charges associated with installment sales contracts.	Expands the types of charges a creditor can contract for on an installment sales contract to include charges for guaranteed asset protection waivers, if such charges are itemized and disclosed to the buyer.
SB155	An Act to permit salespersons and broker associates within the same firm to form a business corporation or limited liability company under certain conditions.	Allows salespersons and brokers who work for the same firm to form a business corporation or limited liability company for the sole purpose of receiving a commission.
SB166	An Act to adopt the Uniform Athlete Agents Act.	Establishes a licensing program for agents who represent student athletes and places the administration of the program with the Department of Revenue and Regulation.
SB180	An Act to require consumer reporting agencies to provide security freezes for consumers who are victims of identity theft.	Establishes procedures and policies for placing a freeze on consumer/credit bureau reports in cases where there has been a potential breach of security concerning a person's personal or financial information.
SB182	An Act to revise certain provisions regarding the organization decals that may be displayed on a motor vehicle license plate.	Allows an organization to utilize its own decals on license plates as long as they meet size and other criteria and are approved by the Department of Revenue and Regulation, Division of Motor Vehicles.

SB183	An Act to provide for distinctive motor vehicle license plates for certain military veterans.	Authorizes the issuance of special license plates designating the vehicle owner as a veteran. The plates will be available to honorably discharged veterans who served on active duty.
SB194	An Act to revise the definition of wine for farm wineries.	Clarifies the criteria for what constitutes wine for farm winery production; includes what it can be made out of, what it can be mixed with, and what its alcohol content can be.
SB200	An Act to authorize the risk pool board to allow additional enrollees into the risk pool under certain circumstances.	Enables the risk pool board to allow those whose premiums exceed 200% of the risk pool premiums to be eligible. Such individuals can only be added to the risk pool if federal funding is available to cover expected losses.
SB201	An Act to revise the risk pool reimbursement method for certain health care providers.	Increases the rate of reimbursement to medical providers from 115% of Medicaid to 135% of Medicaid.