

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

492Y0446

SENATE BILL NO. 113

Introduced by: Senators Peters, Bolin, Cronin, Maher, Monroe, Partridge, and Tidemann and
Representatives Jamison, Ahlers, Anderson, Brunner, Clark, Haggar,
Mickelson, Rhoden, Rounds, Rozum, and Tieszen

1 FOR AN ACT ENTITLED, An Act to require certain provisions to be met before distribution
2 of the 911 emergency surcharge revenue and to revise the effective date for the sunset clause
3 provisions that lower the 911 emergency surcharge and revise the method of distributing
4 funds.

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

6 Section 1. That § 34-45-8.4 be amended to read:

7 34-45-8.4. The Department of Revenue shall transfer the surcharges collected pursuant to
8 §§ 34-45-4 and 34-45-4.2 to the Department of Public Safety. The Department of Public Safety
9 shall remit each month seventy percent of the revenue collected from the 911 emergency
10 surcharges imposed by § 34-45-4 to the public agency, ~~which has adopted an ordinance pursuant~~
11 ~~to § 34-45-2, where the surcharges were collected. However, if the public safety answering point~~
12 is not in compliance with the standards for operation and utilization of public safety answering
13 points as determined by the board, the board shall notify the public agency receiving the
14 revenue. If within ninety days the public safety answering point serving the public agency does



1 not become compliant with the standards for operation or utilization or submit a plan to the
2 board to be approved by the board, detailing how the public safety answering point will become
3 compliant, the Department of Public Safety may not remit the revenue to the public agency. If
4 within one hundred eighty days of the notice given to the public agency, the public safety
5 answering point does not become compliant or receive approval by the board of the plan to
6 become compliant, the revenue collected within the public agency shall be deposited into the
7 public safety 911 emergency fund created pursuant to § 34-45-8.5.

8 The secretary of the Department of Public Safety shall approve vouchers and the state
9 auditor shall draw warrants to pay each public agency its share of the distribution. The
10 Department of Public Safety shall deposit thirty percent of the revenue collected from the 911
11 emergency surcharges imposed by § 34-45-4 into the public safety 911 emergency fund created
12 pursuant to § 34-45-8.5. The Department of Public Safety shall deposit all of the revenue
13 collected from the prepaid wireless service surcharge imposed by § 34-45-4.2 into the South
14 Dakota 911 coordination fund created pursuant to § 34-45-12.

15 Section 2. That section 28 of chapter 188 of the 2012 Session Laws be amended.

16 Section 28. Sections 24 to 26, inclusive, are effective on July 1, ~~2018~~ 2019.