

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

177Z0851

SENATE BILL NO. 210

Introduced by: Senators Frerichs and Youngberg and Representatives Ahlers, Bartling,
Lesmeister, Mills, Peterson (Kent), and Qualm

1 FOR AN ACT ENTITLED, An Act to transfer certain funds from the ethanol fuel fund to the
2 ethanol infrastructure incentive fund.

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

4 Section 1. That § 10-47B-164 be amended to read:

5 10-47B-164. Any money in the ethanol fuel fund is continuously appropriated for purposes
6 of providing ethanol production payments to qualified ethanol producers for purposes of making
7 deposits into the ethanol infrastructure incentive fund, ~~and for purposes of making deposits into~~
8 ~~the revolving economic development and initiative fund.~~ The department may receive and
9 approve ethanol production incentive payment claims and authorize the issuance of payment
10 warrants to licensed ethanol producer claimants based on claims presented by the licensees. At
11 the end of each fiscal year, any unobligated cash in excess of one hundred thousand dollars in
12 the ethanol fuel fund shall be transferred to the state highway fund.

13 There shall be a transfer from the ethanol fuel fund to the ethanol infrastructure incentive
14 fund in fiscal year ~~2012 of one million dollars, a transfer from the ethanol fuel fund to the~~
15 ~~ethanol infrastructure incentive fund in fiscal year 2013 of one million dollars, a transfer from~~



1 ~~the ethanol fuel fund to the ethanol infrastructure incentive fund in fiscal year 2014 of five~~
2 ~~hundred thousand dollars, a transfer from the ethanol fuel fund to the ethanol infrastructure~~
3 ~~incentive fund in fiscal year 2015 of five hundred thousand dollars, and a transfer from the~~
4 ~~ethanol fuel fund to the ethanol infrastructure incentive fund in fiscal year 2016 of five hundred~~
5 ~~thousand dollars.~~

6 ~~—There shall be a transfer from the ethanol fuel fund to the revolving economic development~~
7 ~~and initiative fund in fiscal year 2012 of two million dollars, a transfer from the ethanol fuel~~
8 ~~fund to the revolving economic development and initiative fund in fiscal year 2013 of two~~
9 ~~million dollars, a transfer from the ethanol fuel fund to the revolving economic development and~~
10 ~~initiative fund in fiscal year 2014 of two million dollars, a transfer from the ethanol fuel fund~~
11 ~~to the revolving economic development and initiative fund in fiscal year 2015 of two million~~
12 ~~dollars, and a transfer from the ethanol fuel fund to the revolving economic development and~~
13 ~~initiative fund in fiscal year 2016 of two~~ 2019 and each fiscal year thereafter of one million
14 dollars.

15 The transfers from the ethanol fuel fund to the ethanol infrastructure incentive fund ~~and the~~
16 ~~revolving economic development and initiative fund in each fiscal year~~ shall be made before any
17 production incentive payment is made pursuant to § 10-47B-162 in the fiscal year.

18 No production incentive payment may be made pursuant to § 10-47B-162 unless the ethanol
19 fuel fund has a balance of at least nine hundred fifty thousand dollars.