

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

400U0290

## HOUSE BILL NO. 1046

Introduced by: The Committee on State Affairs at the request of the Department of Revenue

1 FOR AN ACT ENTITLED, An Act to increase the penalties for the failure to timely and  
2 accurately pay the bank franchise tax.

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

4 Section 1. That § 10-43-46 be amended to read as follows:

5 10-43-46. Any person, corporation, or any officer or employee of a corporation, or member  
6 or employee of any partnership, who, with intent to evade any of the requirements of this  
7 chapter or any lawful requirements of the secretary of revenue pursuant to this chapter, makes  
8 a false or fraudulent return or statement or supplies false or fraudulent information is guilty of  
9 a ~~Class 1 misdemeanor~~ Class 6 felony. In addition, the person, corporation, officer, employee,  
10 or member is liable for a civil penalty of not more than ~~five~~ one hundred thousand dollars, to  
11 be recovered by the attorney general, in the name of the state. The civil penalty is in addition  
12 to all other penalties in this chapter.

