



## States' Biofuels Statutes

### STATE OF South Dakota

*This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#).*

*Current through the 2014 Legislative Session of the South Dakota General Assembly.*

#### **10-47B-164.1. Ethanol infrastructure incentive fund established**

There is hereby established the ethanol infrastructure incentive fund to receive funds transferred from the ethanol fuel fund pursuant to [§ 10-47B-164](#). Any money in the ethanol infrastructure incentive fund is continuously appropriated for the following purposes:

- (1) To award incentive grants to motor fuel retail dealers as defined in [§ 10-47B-3](#) for the purpose of entering into contracts for the purchase or installation, or for the purchase and installation, of ethanol blender pumps and associated piping and storage systems and related equipment to be used at facilities operated by the motor fuel retail dealers for the sale of motor fuel to the public;
- (2) To award incentive grants to motor fuel retail dealers as defined in [§ 10-47B-3](#) for the purpose of entering into contracts for the purchase, or the purchase, of pumps and pump equipment authorized to dispense gasoline containing up to and including eighty-five percent ethanol;
- (3) To award incentive grants to encourage the purchase of flex fuel vehicles;
- (4) To encourage the increased use of ethanol in South Dakota; and
- (5) To otherwise encourage the installation of infrastructure related to sale and distribution of ethanol.

The Governor's Office of Economic Development shall establish, by rules promulgated pursuant to chapter 1-26, such regulations and procedures as are necessary to implement this section. For the purposes of this section, the term, ethanol blender pump, refers to a mechanism provided by the retail dealer for the dispensing at retail as defined in [§ 10-47B-3](#) of ethanol blend so that the end user may choose a particular grade of ethanol to gasoline to be dispensed. The Governor's Office of Economic Development may use up to five percent of any amount appropriated to the ethanol infrastructure incentive fund for administration of the fund or any incentive programs established by this section.

**Source:** [SL 2011, ch 62, § 2.](#)

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**10-47B-164.2. Promulgation of rules concerning the ethanol infrastructure incentive fund**

The Governor's Office of Economic Development may promulgate rules pursuant to chapter 1-26 concerning the ethanol infrastructure incentive fund as follows:

- (1) The submission of grant applications for the ethanol infrastructure incentive fund;
- (2) Eligibility criteria for grants from the ethanol infrastructure incentive fund;
- (3) Application procedures for grants from the ethanol infrastructure incentive fund;
- (4) Criteria for determining which applicants will receive grants from the ethanol infrastructure incentive fund; and
- (5) Follow-up reporting to the Governor's Office of Economic Development by grant recipients.

**Source:** [SL 2011, ch 62, § 3.](#)