

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

377Q0355

HOUSE BILL NO. 1174

Introduced by: Representatives Dennert, Feinstein, Frerichs, and Hunhoff (Bernie) and
Senators Bartling, Hanson (Gary), Heidepriem, and Kloucek

1 FOR AN ACT ENTITLED, An Act to appropriate money from the budget reserve fund to
2 increase the state funded portion to state aid to education, decrease current tax levies, and
3 increase provider inflation.

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

5 Section 1. There is hereby appropriated from the budget reserve fund the sum of six million
6 three hundred nineteen thousand two hundred fifty-seven dollars (\$6,319,257), or so much
7 thereof as may be necessary, to the Department of Education for the purpose of funding state
8 aid to education and to decrease current tax levies.

9 Section 2. That § 10-12-42 be amended to read as follows:

10 10-12-42. For taxes payable in ~~2009~~ 2010 and each year thereafter, the levy for the general
11 fund of a school district shall be as follows:

12 (1) The maximum tax levy shall be eight dollars and ~~seventy-eight~~ seventy-seven cents
13 per thousand dollars of taxable valuation subject to the limitations on agricultural
14 property as provided in subdivision (2) of this section, owner-occupied property as
15 provided for in subdivision (3) of this section, and nonagricultural acreage property



1 as provided for in subdivision (4) of this section;

2 (2) The maximum tax levy on agricultural property for such school district shall be two
3 dollars and ~~sixty-one~~ sixty cents per thousand dollars of taxable valuation. If the
4 district's levies are less than the maximum levies as stated in this section, the levies
5 shall maintain the same proportion to each other as represented in the mathematical
6 relationship at the maximum levies;

7 (3) The maximum tax levy for an owner-occupied single-family dwelling as defined in
8 § 10-13-40, for such school district may not exceed four dollars and ~~ten~~ nine cents
9 per thousand dollars of taxable valuation. If the district's levies are less than the
10 maximum levies as stated in this section, the levies shall maintain the same
11 proportion to each other as represented in the mathematical relationship at the
12 maximum levies; and

13 (4) The maximum tax levy on nonagricultural acreage property as defined in § 10-6-
14 33.14, for such school district shall be three dollars and ~~sixty-one~~ sixty cents per
15 thousand dollars of taxable valuation. If the district's levies are less than the
16 maximum levies as stated in this section, the levies shall maintain the same
17 proportion to each other as represented in the mathematical relationship at the
18 maximum levies.

19 All levies in this section shall be imposed on valuations where the median level of
20 assessment represents eighty-five percent of market value as determined by the Department of
21 Revenue and Regulation. These valuations shall be used for all school funding purposes. If the
22 district has imposed an excess levy pursuant to § 10-12-43, the levies shall maintain the same
23 proportion to each other as represented in the mathematical relationship at the maximum levies
24 in this section. The school district may elect to tax at less than the maximum amounts set forth

1 in this section.

2 Section 3. There is hereby appropriated from the budget reserve fund the sum of four million
3 six hundred thousand dollars (\$4,600,000), or so much thereof as may be necessary, to the
4 secretaries of the Departments of Human Services, Social Services, Corrections, and Health for
5 the purpose of increasing the provider inflation rate to three percent.

6 Section 4. The secretaries of education, human services, social services, corrections, and
7 health shall approve vouchers and the state auditor shall draw warrants to pay expenditures
8 authorized by this Act.

9 Section 5. Any amounts appropriated in this Act not lawfully expended or obligated by June
10 30, 2010, shall revert in accordance with the procedures prescribed in chapter 4-8.