

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

966Q0658

SENATE TAXATION ENGROSSED NO. **SB 149** 2/18/2009

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Adelstein, Abdallah, Jerstad, Nelson, and Tieszen and
Representatives McLaughlin, Lederman, and Sly

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the general fund
2 levies of school districts.

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

4 Section 1. That § 13-13-72.1 be amended to read as follows:

5 13-13-72.1. Any adjustments in the levies specified in § 10-12-42 made pursuant to §§ 13-
6 13-71 and 13-13-72 shall be based on maintaining the relationship between statewide local
7 effort as a percentage of statewide local need in the fiscal year succeeding the fiscal year in
8 which the adjustment is made. Any adjustment to the levy for agricultural property shall be
9 based upon the change in the statewide agricultural taxable valuation and the reclassification
10 of agricultural property to another property classification. Any adjustment to the levies for
11 nonagricultural property and owner-occupied single-family dwellings shall be based upon the
12 change in the statewide nonagricultural property and owner-occupied single-family dwellings
13 taxable valuations. However, if any new project with a total taxable valuation of one hundred
14 fifty million dollars or more is constructed, the levies shall be proportionately decreased for



1 agricultural property, nonagricultural property, and owner-occupied single-family dwellings. In
2 addition to the adjustments in the levies provided by this section, the levies shall also be
3 annually adjusted as necessary to reduce the portion of local need paid by local effort by an
4 amount equal to nine million dollars from those funds transferred into the property tax reduction
5 fund pursuant to § 10-50-52 subsequent to July 1, 2007. In addition to the adjustments in the
6 levies provided by this section, the levies for nonagricultural property and owner-occupied
7 single-family dwellings shall also be adjusted as necessary to account for the additional increase
8 in the total assessed value for nonagricultural property and owner-occupied single-family
9 dwellings pursuant to the phasing out and repeal of the provisions provided in § 10-6-74.