

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

924V0182

SENATE BILL NO. 111

Introduced by: Senators Kirkeby, Frerichs, and Maher and Representatives Hajek, Feickert, Hoffman, Peterson, and Tulson

1 FOR AN ACT ENTITLED, An Act to revise certain property tax limitations.

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

3 Section 1. That § 10-13-35 be amended to read as follows:

4 10-13-35. This section does not apply to school districts. For taxes payable in 1997, and
5 each year thereafter, the total amount of revenue payable from taxes on real property within a
6 taxing district, excluding the levy pursuant to § 10-13-36, may increase no more than the ~~lesser~~
7 greater of three percent or the index factor, not to exceed four percent, as defined in § 10-13-38,
8 over the amount of revenue payable from taxes on real property in the preceding year, excluding
9 the amount of taxes levied pursuant to § 10-13-36. After applying the index factor, a taxing
10 district may increase the revenue payable from taxes on real property above the limitations
11 provided by this section by the percentage increase of value resulting from any improvements
12 or change in use of real property, annexation, minor boundary changes, and any adjustments in
13 taxation of property separately classified and subject to statutory adjustments and reductions
14 under chapters 10-4, 10-6, 10-6A, and 10-6B, except § 10-6-31.4, only if assessed the same as
15 property of equal value. A taxing district may increase the revenue it receives from taxes on real



1 property above the limit provided by this section for taxes levied to pay the principal, interest,
2 and redemption charges on any bonds issued after January 1, 1997, which are subject to
3 referendum, scheduled payment increases on bonds and for a levy directed by the order of a
4 court for the purpose of paying a judgment against such taxing district. Any taxing district
5 created after the effective date of this section is exempt from the limitation provided by this
6 section for a period of two years immediately following its creation.