

2021 South Dakota Legislature

House Bill 1099**AMENDMENT 1099A FOR THE INTRODUCED BILL**

1 **An Act to revise the property tax exemption amount for certain agricultural**
2 **property.**

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

4 **Section 1.** That § 10-4-13.1 be AMENDED.

5 **10-4-13.1. Agricultural structures specially classified--Amount exempt from**
6 **taxation--Relative defined.**

7 Buildings and structures, other than normally occupied dwellings on agricultural
8 land and automobile garages or portions of buildings used for that purpose, ~~which are~~
9 used exclusively for agricultural purposes and situated on agricultural land, are hereby
10 specifically classified for tax purposes as agricultural property. ~~Ten~~ One hundred Fifty
11 thousand dollars of the full and true value of all buildings located upon each building site
12 and used in connection with the taxpayer's agricultural pursuits is exempt if there is a
13 dwelling ~~which that~~ is occupied by an owner or relative of an owner or a beneficiary of a
14 trust or a trustee for at least six months of a year but not necessarily on the assessment
15 date. ~~Such~~ The dwelling shall be located on agricultural land and classified as
16 nonagricultural property under § 10-6-31. The application requirement in § 10-4-15 does
17 not apply to this section. If an owner is a corporation, trust, or a partnership, each
18 stockholder, member, beneficiary, trustee, or partner who resides on ~~such~~ the property
19 shall be an owner pursuant to this section. For the purposes of this section, a relative is a
20 person who is related within the third degree of kinship. However, ~~no~~ a building site may
21 not receive more than ~~one ten~~ a one hundred fifty thousand-dollar exemption pursuant
22 to this section. For the purposes of this section, a manufactured home or a mobile home
23 is a dwelling.

24 Beginning on January 1, 2023, and again on January first of each year thereafter,
25 the exemption value shall be adjusted by the percentage change in the cost of living. The
26 change in the cost of living shall be measured by the percentage change as of August of

1 ~~the immediately preceding year over the level as measured as of August of the previous~~
2 ~~year of the Consumer Price Index (all urban consumers, U.S. city average for all items)~~
3 ~~as published by the U.S. Department of Labor, with the amount of the change, if any,~~
4 ~~rounded to the nearest dollar. The secretary of the Department of Revenue shall publish~~
5 ~~the adjusted exemption value for the forthcoming year on the department's internet~~
6 ~~website by October fifteenth of each year, and the adjusted exemption value becomes~~
7 ~~effective on January first of the following year.~~