

Committee: Senate Taxation

Wednesday, February 24, 2021 10:00 AM

Roll Call

Present: Sen. Castleberry, Sen. Johns, Sen. Klumb, Sen. Novstrup, Sen. Herman Otten, Sen. Stalzer, and Sen. Symens

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Johns

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 17TH

Moved by: Klumb
Second by: Stalzer
Action: Prevailed by voice vote

HB 1013 : make an appropriation to fund tax refunds for elderly persons and persons with a disability and to declare an emergency.

Proponents: Jacob Parsons, Bureau of Finance and Management
Brett Hoffman, South Dakota Health Care Association, Sioux Falls
Erik Nelson, AARP South Dakota, Sioux Falls

MOTION: REFER HB 1013 TO JOINT COMMITTEE ON APPROPRIATIONS DO PASS

Moved by: Klumb
Second by: Herman Otten
Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Castleberry, Johns, Klumb, Novstrup, Herman Otten, Stalzer, and Symens

HB 1085 : redefine the criteria for classifying land as agricultural for tax purposes.

Proponents: Senator Mary Duvall
Representative Kirk Chaffee
Wendy Semmler, Department of Revenue (Handout(s) 1)
Lesley Coyle, Department of Revenue
Shannon Rittberger, self, Rapid City
Corina Molnar, Self, Bison
Michael Held, South Dakota Farm Bureau Federation, Huron
Angela Ehlers, South Dakota Association of Conservation Districts, Pierre
David Owen, South Dakota Chamber of Commerce and Industry
Brenda Forman, South Dakota Cattlemen's Association, Pierre
Jeremy Smith, self, Cycle Farms, LLC, Spearfish, South Dakota

Opponents: Steven Eckrich, self, Rapid City
William Coburn, South Dakota Family Forests Association, Rapid City
Tawnia Merkle, self, Spearfish, South Dakota
Harry Ayer, self, Lead
Travis Lasseter, self, Rapid City
Michael Ray, self, Rapid City
Rebecca Terk, Dakota Rural Action, Rapid City

Ben Wudtke, Black Hills Forest Resource Association, Rapid City

MOTION: AMEND HB 1085

1085J

On page 1, line 11, of the House bill, after "ownership" insert ". For purposes of this section, the term, principal use, means the primary use to which the land is devoted. This definition is intended to reference the primary and predominant use of the land as opposed to a mere secondary and incidental use"

On page 1, line 26, of the House bill, delete " and" and insert " or"

On page 2, line 22, of the House bill, after "unit." delete "Section 2. That a NEW SECTION be added: 10-6-31. 10. Land prevented from classification as agricultural.

For tax purposes, land may not be classified as agricultural land and any agricultural land classification shall be removed if the land is platted as a subdivision with three or more lots.

For purposes of this section, the term, subdivision, means the division of any tract or parcel of land into two or more lots, sites, or other division for the purpose, whether immediate or future, of sale or building development and includes re-subdivision. The term does not apply to the conveyance of a portion of any previously platted tract, parcel, lot, or site if the conveyance does not cause the tract, parcel, lot, or site from which the portion is severed to be in violation of any existing zoning ordinance or subdivision regulation applying to the tract, parcel, lot, or site."

Moved by: Herman Otten
Second by: Klumb
Action: Prevailed by voice vote

MOTION: DO PASS HB 1085 AS AMENDED

Moved by: Novstrup
Second by: Stalzer
Action: Prevailed by Majority Members Elect (5-2-0-0)

Voting Yes: Klumb, Novstrup, Herman Otten, Stalzer, and Symens

Voting No: Castleberry and Johns

MOTION: ADJOURN

Moved by: Klumb
Second by: Novstrup
Action: Prevailed by voice vote

Courtney Merchant, Committee Secretary

/s/ TIMOTHY R. JOHNS
Timothy R. Johns, Chair