



2024 South Dakota Legislature

Senate Bill 131

SENATE AGRICULTURE AND NATURAL RESOURCES ENGROSSED

Introduced by: **Senator Rohl**

1 **An Act to include shelterbelts as a factor affecting productivity in determining**
 2 **assessed value of agricultural land.**

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

4 **Section 1. That § 10-6-131 be AMENDED:**

5 **10-6-131.** Before July first each year, the secretary of revenue shall annually
 6 provide each director the agricultural income value for each county as computed pursuant
 7 to § 10-6-127. The director shall annually determine the assessed value of agricultural
 8 land. The director may adjust the assessed value of agricultural land ~~may be adjusted by~~
 9 ~~the director~~ to the extent one or more of the following factors affect the productivity of
 10 the land:

- 11 (1) Location;
- 12 (2) Size;
- 13 (3) Soil survey statistics;
- 14 (4) Terrain;
- 15 (5) Topographical condition;
- 16 (6) Climate;
- 17 (7) Accessibility; or
- 18 (8) Surface obstructions, including shelterbelts.

19 The director shall document each adjustment. ~~The director shall document an~~
 20 ~~adjustment~~ by using data from sources reasonably related to the adjustment being made.
 21 In addition, the director may use data from comparable sales of agricultural land to
 22 document the adjustment concerning productivity for any of the factors listed in this
 23 section.

24 If the actual use of agricultural land varies from the land use category specified by
 25 soil classification standards, or if any factors listed in this section exist that affect the
 26 productivity of the land, the property owner may request an examination of the land by

1 the director on a form prescribed by the department. The director shall determine whether
2 to adjust the assessed value of the agricultural land pursuant to the factors listed in this
3 section.

4 The director shall document all supporting evidence for the adjustment
5 determination. The director shall provide any adjustment documentation to the
6 department upon request. The director must keep the adjustment documentation ~~must~~
7 ~~be kept~~ in the director's office for the life of the adjustment.

8 For the purposes of this section, the term "shelterbelt" means field shelterbelts,
9 farmstead windbreaks, wildlife tree plantings, living snow fences, and other tree plantings
10 made specifically for conservation purposes, but excluding trees planted for ornamental
11 or commercial purposes.