

## 2026 South Dakota Legislature

**House Bill 1168****AMENDMENT 1168C  
FOR THE HOUSE EDUCATION ENGROSSED BILL**

1 **An Act to provide a property tax credit for the payment of nonpublic school tuition.**

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

3 **Section 1. That a NEW SECTION be added to chapter 10-13:**

4 An owner of ~~property~~ an owner-occupied single-family dwelling, as defined in § 10-  
5 13-39, that is subject to taxation pursuant to chapter 10-4, may receive a property tax  
6 credit to be applied toward the taxes levied on the property by the school district in which  
7 the property is located. The reduction is based on education expenses the owner has  
8 incurred for any child who is:

9 (1) At least five years old, but younger than nineteen years; and

10 (2) A kindergarten-through-twelfth-grade student in this state enrolled in a nonpublic  
11 school.

12 The child, for ~~which~~ whom education expenses are incurred, is not required to be  
13 a child of the owner of the property for a tax credit to be received pursuant to this Act.

14 **Section 2. That a NEW SECTION be added to chapter 10-13:**

15 Only nonpublic school tuition qualifies as an eligible education expense for which a  
16 property tax credit may be received pursuant to this Act.

17 **Section 3. That a NEW SECTION be added to chapter 10-13:**

18 The amount of the property tax credit received under this Act by any property  
19 owner in any year may not exceed the lesser of:

20 (1) Eighty percent of the total amount of school district taxes owed to that school  
21 district by the owner for that year; or

22 (2) One thousand dollars.

23 The amount of property tax credits received by an individual property owner or by  
24 multiple property owners, pursuant to this Act, for incurred eligible education expenses,

1 for any individual child in any year may not exceed the per student equivalent set forth in  
2 § 13-13-10.1.

3 **Section 4. That a NEW SECTION be added to chapter 10-13:**

4 To apply for a property tax credit pursuant to this Act, a property owner shall, prior  
5 to June first, submit an application to the county ~~director of equalization auditor.~~

6 The application must be on a form prescribed by the Department of Revenue. The  
7 application must:

8 (1) Include for each child on whose behalf eligible education expenses were incurred:

9 (a) The school enrollment information; and

10 (b) Verification of the tuition charges by each child's nonpublic school; and

11 (2) Be signed by the property owner, under penalty of perjury.

12 **Section 5. That a NEW SECTION be added to chapter 10-13:**

13 The property tax bill sent to each taxpayer pursuant to § 10-21-1.1 must reflect  
14 any property tax credits received pursuant to this Act.

15 **Section 6. That a NEW SECTION be added to chapter 10-13:**

16 For purposes of determining local effort under chapters 13-13 and 13-37, a  
17 property tax credit issued under this Act is deducted from the local effort in the district in  
18 which the property is located.

19 **Section 7. That a NEW SECTION be added to chapter 10-13:**

20 The Department of Revenue shall promulgate rules, pursuant to chapter 1-26, to  
21 specify the forms and procedures for filing and processing requests for property tax credits  
22 under this Act and the documentation that is necessary to verify the eligible education  
23 expenses.