



2026 South Dakota Legislature
Senate Bill 21
ENROLLED

AN ACT

ENTITLED An Act to modify tax refunds for elderly persons and persons with a disability.

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

Section 1. That § 9-43-101 be AMENDED:

9-43-101. A municipality may waive or reduce special assessments levied against owner-occupied single family dwellings, if the head of household is sixty-five years of age or older, or is disabled, or if the annual household income does not exceed the federal poverty level as updated annually on the Department of Social Services website. The terms used in this section are defined in § 10-6B-1.

Section 2. That § 10-1-47 be AMENDED:

10-1-47. The terms "United States Internal Revenue Code" and "Internal Revenue Code" mean the United States Internal Revenue Code as amended and in effect on January 1, 2025. This section applies to §§ 10-4-9.1, 10-4-9.2, 10-4-9.3, 10-4-9.4, 10-4-39, 10-6-157, and 10-43-10.1, and subdivisions 10-6A-1(7), 10-6B-1(5), 10-43-10.3(6), and 10-45A-1(5).

Section 3. That § 10-4-24.11 be AMENDED:

10-4-24.11. To the extent that a dwelling or a portion thereof is owned and occupied by a paraplegic or an individual with the loss or loss of use of both lower extremities, the individual's tax liability must be reduced as provided in §§ 10-4-24.12 and 10-4-24.13 on that portion of the dwelling, provided the dwelling was owned and occupied for the full calendar year prior to the year in which the taxes are due and receivable. The term "household income" as used in §§ 10-4-24.12 and 10-4-24.13 is the same as defined in subdivision 10-6B-1.

Section 4. That § 10-6A-11 be AMENDED:

10-6A-11. Property tax relief granted through the provisions of this chapter does not affect a person's eligibility for a retail sales and service tax refund under the provisions of chapter 10-45A.

Section 5. That § 10-6B-15 be AMENDED:

10-6B-15. A person who receives a retail sales and service tax refund under chapter 10-45A or a real property tax assessment freeze under chapter 10-6A may not be denied a property tax reduction under this chapter because of the refund or freeze.

Section 6. That § 10-13-20 be AMENDED:

10-13-20. The provisions of this chapter may not be construed to deny a tax refund pursuant to chapter 10-45A.

Section 7. That § 10-45A-5 be AMENDED:

10-45A-5. The amount of any claim made pursuant to this chapter by a claimant from a household consisting solely of one person is determined as follows:

- (1) If the claimant's income is seventeen thousand two hundred fifteen dollars or less, a sum equal to the pro rata share of each eligible claimant determined pursuant to § 10-45A-13, not to exceed five hundred dollars; and
- (2) If the claimant's income is more than seventeen thousand two hundred fifteen dollars, no refund.

Section 8. That § 10-45A-6 be AMENDED:

10-45A-6. The amount of any claim made pursuant to this chapter by a claimant from a household consisting of more than one person is determined as follows:

- (1) If household income is twenty-three thousand two hundred sixty-five dollars or less, a sum equal to two times the pro rata share of each eligible claimant determined pursuant to § 10-45A-13, not to exceed one thousand dollars; and
- (2) If household income is more than twenty-three thousand two hundred sixty-five dollars, no refund.

Section 9. That § 10-45A-7 be AMENDED:

10-45A-7. The secretary of revenue shall determine claim disbursements pursuant to this chapter, with each claim computed to the nearest dollar.

Section 10. That § 10-45A-13 be AMENDED:

10-45A-13. In determining the pro rata share of each eligible claimant, the department shall divide the total amount appropriated to pay all claims authorized by this chapter, by the number of claimants who have timely filed.

For purposes of this section, the department shall consider a claimant from a household consisting solely of one person as one claimant, and the department shall consider a claimant from a household consisting of more than one person as two claimants.

Section 11. That § 10-6C-7 be REPEALED.

Section 12. That § 10-18A-1 be REPEALED.

Section 13. That § 10-18A-1.1 be REPEALED.

Section 14. That § 10-18A-2 be REPEALED.

Section 15. That § 10-18A-3 be REPEALED.

Section 16. That § 10-18A-4 be REPEALED.

Section 17. That § 10-18A-5 be REPEALED.

Section 18. That § 10-18A-6 be REPEALED.

Section 19. That § 10-18A-6.1 be REPEALED.

Section 20. That § 10-18A-7 be REPEALED.

Section 21. That § 10-18A-8 be REPEALED.

Section 22. That § 10-18A-9 be REPEALED.

Section 23. That § 10-18A-10 be REPEALED.

Section 24. That § 10-18A-11 be REPEALED.

Section 25. That § 10-18A-12 be REPEALED.

Section 26. That § 10-18A-13 be REPEALED.

Section 27. That § 10-18A-14 be REPEALED.

Section 28. That § 10-18A-15 be REPEALED.

Section 29. That § 10-18A-16 be REPEALED.

Section 30. That § 10-45A-2.1 be REPEALED.

An Act to modify tax refunds for elderly persons and persons with a disability.

I certify that the attached Act originated in
the:
Senate as Bill No. 21

Received at this Executive Office
this ____ day of _____,
2026 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this _____ day of
_____, A.D., 2026

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2026
at _____ o'clock __ M.

Chief Clerk of the House

Secretary of State

Senate Bill No. 21
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State