

AN ACT

ENTITLED, An Act to provide certain criteria for meeting the ownership requirements for classifying dwellings as owner-occupied property.

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

Section 1. That chapter 10-13 be amended by adding a NEW SECTION to read:

For the purposes of §§ 10-13-39 and 10-13-40, an owner shall be the owner of the owner-occupied dwelling as recorded by the director of equalization in the county where the dwelling is located. A joint tenant, an owner of a life estate, a partner, a person owning an interest in a limited liability company, a person owning an interest in a corporation, a vendee of a contract for deed, or a beneficiary of a trust is considered to be an owner.

An owner may claim a credit only on the single-family dwelling used as a principal residence. An owner may have more than one parcel of land classified as owner-occupied if the additional parcel is contiguous to the parcel containing the owner-occupied house. Each parcel that is contiguous, under the same ownership and used as one property shall be considered as owner-occupied. A property is also considered contiguous if separated by a street or alley from the parcel containing the owner-occupied house.

If the dwelling is occupied by a parent of the owner, the parent is considered the owner and occupant of the single-family dwelling.

The owner or a legal representative of the owner may sign for signature purposes on the certification of an owner-occupied dwelling.

Section 2. That ARSD 64:04:01:13.03 be repealed.

An Act to provide certain criteria for meeting the ownership requirements for classifying dwellings as owner-occupied property.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 109

\_\_\_\_\_  
Secretary of the Senate  
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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 109  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
=====

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State