



2020 South Dakota Legislature
House Bill 1007
ENROLLED

AN ACT

ENTITLED An Act to require certain adjustments to the assessed value of agricultural land if factors impact the land's productivity and to require those adjustments to be documented.

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

Section 1. That § 10-6-33.31 be AMENDED:

10-6-33.31. Agricultural income value for county--Adjustment of assessed value by director of equalization.

Before July first each year, the secretary of revenue shall annually provide each director of equalization the agricultural income value for each county as computed pursuant to § 10-6-33.28. The director of equalization shall annually determine the assessed value of agricultural land. The assessed value of agricultural land may be adjusted by the director of equalization to the extent the following factors affect the productivity of the land:

- (1) The capacity of the land to produce agricultural products as defined in § 10-6-33.2; and
- (2) One or more of the following factors:
 - (a) Location;
 - (b) Size;
 - (c) Soil survey statistics;
 - (d) Terrain;
 - (e) Topographical condition;
 - (f) Climate;
 - (g) Accessibility; or
 - (h) Surface obstructions.

Each adjustment shall be documented. The director of equalization shall document an adjustment by using data from sources reasonably related to the adjustment being made.

In addition, the director of equalization may use data from comparable sales of agricultural land to document the adjustment concerning productivity for any of the factors listed in this section.

If the actual use of agricultural land varies from the land use category specified by soil classification standards, or if any factors listed in subdivision (2) exist that affect the productivity of the land, the property owner may request an examination of the land by the director of equalization on a form prescribed by the department. The director of equalization shall determine whether to adjust the assessed value of the agricultural land pursuant to the factors listed in subdivision (2).

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

An Act to require certain adjustments to the assessed value of agricultural land if factors impact the land's productivity and to require those adjustments to be documented.

I certify that the attached Act originated in the:
House as Bill No. 1007

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1007
File No. _____
Chapter No. _____

Received at this Executive Office
this ____ day of _____,
2020 at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 2020

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 2020
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State