

On page 1, line 3, of the Introduced bill, delete " prohibiting the general appropriation bill from reappropriating or transferring funds that are in special funds and establishing rules pertaining to the administration of special funds" and insert " the creation of the property tax relief trust fund and to provide for the transfer of unobligated cash"

On the Introduced bill, delete everything after the enacting clause and insert:

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**Section 1.** That at the next general election held in the state, the following amendment to Article XII of the Constitution of the State of South Dakota, as set forth in sections 2 and 3 of this Joint Resolution, which is hereby agreed to, shall be submitted to the electors of the state for approval.

**Section 2.** That Article XII of the Constitution of the State of South Dakota, be amended by adding a NEW SECTION to read:

**§ 8. Property tax relief trust fund --Establishment --Investment --Purposes-- Appropriations--Limitations.**

There is hereby created in the state treasury a trust fund named the property tax relief trust fund. The South Dakota Investment Council or its successor shall invest the property tax relief trust fund in stocks, bonds, mutual funds, and other financial instruments as provided by law. Beginning in fiscal year 2030, and each year thereafter, the state treasurer shall make a distribution from the property tax relief trust fund into the state general fund to be appropriated by law to reduce property taxes in the State. The calculation of the distribution shall be defined by law and may promote growth of the fund and a steadily growing distribution amount. The property tax relief trust fund may not be diverted for other purposes nor may the principal be invaded unless appropriated by a three-fourths vote of all the members-elect of each house of the Legislature.

**Section 3.** That Article XII of the Constitution of the State of South Dakota, be amended by adding a NEW SECTION to read:

**§ 9. General fund unobligated cash --Transfer.**

On July first of each fiscal year, or at such time as the prior fiscal year general fund unobligated cash is determined, the state treasurer shall transfer all prior year unobligated cash as follows:

- (1) An amount not more than fifty percent of the general fund unobligated cash, into the budget reserve fund provided that the combined cash balance of the budget reserve fund and the general revenue replacement fund does not exceed ten percent of the general fund appropriations from the general appropriation act for the prior fiscal year.
- (2) After the requirements of subdivision (1) are met, the state treasurer shall transfer the remaining general fund unobligated cash into the property tax relief trust fund provided that the balance of the property tax relief trust fund does not exceed twenty percent of the general fund appropriations from the general appropriation act for the prior fiscal year; and
- (3) If any unobligated cash balance remains after the requirements of subdivision (2) are met, the state treasurer shall transfer the remaining general fund unobligated cash amount into the budget reserve fund provided that the balance of the budget reserve fund does not exceed thirty percent of the general fund appropriations from the general appropriation act for the prior fiscal year.

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