

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

482A0480 **HOUSE TAXATION COMMITTEE ENGROSSED NO.**
HB1106 - 1/31/97

Introduced by: Representatives Cutler, Belatti, Brown (Richard), Roe, and Schaunaman and
Senators Paisley, Aker, Everist, and Rounds

1 FOR AN ACT ENTITLED, An Act to exempt certain bonds from property tax levy limitations.

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

3 Section 1. That § 10-13-35 be amended to read as follows:

4 10-13-35. This section does not apply to school districts. For taxes payable in 1997, and each
5 year thereafter, the total amount of revenue payable from taxes on real property within a taxing
6 district, excluding the levy pursuant to § 10-13-36, may increase no more than the lesser of three
7 percent or the index factor, as defined in § 10-13-38, over the amount of revenue payable from
8 taxes on real property in the preceding year, excluding the amount of taxes levied pursuant to
9 § 10-13-36. After applying the index factor, a taxing district may increase the revenue payable
10 from taxes on real property above the limitations provided by this section by the percentage
11 increase of value resulting from any improvements or change in use of real property, annexation,
12 minor boundary changes, and any adjustments in taxation of property separately classified and
13 subject to statutory adjustments and reductions under chapters 10-4, 10-6, 10-6A, and 10-6B,
14 except § 10-6-31.4, only if assessed the same as property of equal value. A taxing district may
15 increase the revenue it receives from taxes on real property above the limit provided by this

1 section for taxes levied to pay the principal, interest, and redemption charges on any bonds
2 issued after January 1, 1997, which are subject to referendum, scheduled payment increases on
3 ~~bonded indebtedness incurred prior to December 31, 1995, bonds~~ and for a levy directed by the
4 order of a court for the purpose of paying a judgment against such taxing district. Any taxing
5 district created after the effective date of this section is exempt from the limitation provided by
6 this section for a period of two years immediately following its creation.

1 **BILL HISTORY**

2 January 28 - First read in House and referred to Taxation. H.J. 166

3 January 30 - Scheduled for hearing.

4 January 30 - Passed as amended, AYES 12, NAYS 0. H.J. 211