

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

762H0367

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1087** - 02/19/2002

Introduced by: Representatives Peterson (Bill) and Olson (Mel) and Senators Everist and
Hutmacher

1 FOR AN ACT ENTITLED, An Act to revise the property tax levies for the general fund of a
2 school district.

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

4 Section 1. That § 10-12-42 be amended to read as follows:

5 10-12-42. For taxes payable in ~~2002~~ 2003 and each year thereafter, the levy for the general
6 fund of a school district shall be as follows:

7 (1) The maximum tax levy shall be ~~thirteen~~ twelve dollars and ~~ninety-three~~ ninety cents
8 per thousand dollars of taxable valuation subject to the limitations on agricultural
9 property as provided in subdivision (2) of this section, owner-occupied property as
10 provided for in subdivision (3) of this section, and nonagricultural acreage property
11 as provided for in subdivision (4) of this section;

12 (2) The maximum tax levy on agricultural property for such school district shall be ~~four~~
13 three dollars and ~~four~~ seventy-four cents per thousand dollars of taxable valuation. If
14 the district's levies are less than the maximum levies as stated in this section, the levies



1 shall maintain the same proportion to each other as represented in the mathematical
2 relationship at the maximum levies;

3 (3) The maximum tax levy for an owner-occupied single-family dwelling as defined in
4 § 10-13-40, for such school district may not exceed six dollars and ~~fifty~~ two cents per
5 thousand dollars of taxable valuation. If the district's levies are less than the maximum
6 levies as stated in this section, the levies shall maintain the same proportion to each
7 other as represented in the mathematical relationship at the maximum levies; and

8 (4) The maximum tax levy on nonagricultural acreage property as defined in
9 § 10-6-33.14, for such school district shall be ~~five~~ four dollars and ~~four~~ seventy-four
10 cents per thousand dollars of taxable valuation. If the district's levies are less than the
11 maximum levies as stated in this section, the levies shall maintain the same proportion
12 to each other as represented in the mathematical relationship at the maximum levies.

13 All levies in this section shall be imposed on valuations where the median level of assessment
14 represents eighty-five percent of market value as determined by the Department of Revenue.
15 These valuations shall be used for all school funding purposes. If the district has imposed an
16 excess levy pursuant to § 10-12-43, the levies shall maintain the same proportion to each other
17 as represented in the mathematical relationship at the maximum levies in this section. The school
18 district may elect to tax at less than the maximum amounts set forth in this section.

19 Section 2. That § 10-12-42.1 be repealed.

20 ~~10-12-42.1. Notwithstanding the provisions of § 10-12-42, the levy for taxes payable in 2001~~
21 ~~shall be as follows:~~

22 ~~(1) The maximum tax levy shall be thirteen dollars and ninety-three cents per thousand~~
23 ~~dollars of taxable valuation subject to the limitations on agricultural property as~~
24 ~~provided in subdivision (2) of this section, owner-occupied property as provided for~~

1 in subdivision (3) of this section, and nonagricultural acreage property as provided for
2 in subdivision (4) of this section;

3 ~~—(2)—~~ The maximum tax levy on agricultural property for such school district shall be three
4 dollars and thirty-three cents per thousand dollars of taxable valuation. If the districts'
5 levies are less than the maximum levies as stated in chapter 10-13, the levies shall
6 maintain the same proportion to each other as represented in the mathematical
7 relationship at the maximum levies;

8 ~~—(3)—~~ The maximum tax levy for an owner-occupied single-family dwelling as defined in
9 § 10-13-40, for such school district may not exceed five dollars and thirty-six cents
10 per thousand dollars of taxable valuation. If the district's levies are less than the
11 maximum levies as stated in chapter 10-13, the levies shall maintain the same
12 proportion to each other as represented in the mathematical relationship at the
13 maximum levies;

14 ~~—(4)—~~ The maximum tax levy on nonagricultural acreage property as defined in
15 § 10-6-33.14, for such school district shall be four dollars and thirty-three cents per
16 thousand dollars of taxable valuation. If the district's levies are less than the maximum
17 levies as stated in chapter 10-13, the levies shall maintain the same proportion to each
18 other as represented in the mathematical relationship at the maximum levies.

19 ~~—~~ All levies in this section shall be imposed on valuations where the median level of assessment
20 represents eighty-five percent of market value as determined by the Department of Revenue.
21 These valuations shall be used for all school funding purposes. If the district has imposed an
22 excess levy pursuant to § 10-12-43, the levies shall maintain the same proportion to each other
23 as represented in the mathematical relationship at the maximum levies in this section. The school
24 district may elect to tax at less than the maximum amounts set forth in this section.