

2024 South Dakota Legislature

House Bill 1082**AMENDMENT 1082B
FOR THE HOUSE MILITARY AND VETERANS AFFAIRS
ENGROSSED BILL**

1 **An Act to change the eligibility requirements, and the exempt value, of a property**
2 **tax relief program for disabled veterans and surviving spouses.**

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

4 **Section 1. That § 10-4-40 be AMENDED:**

5 **10-4-40.** ~~One Two~~ hundred fifty thousand dollars of the full and true value of the
6 total amount of a dwelling or portion thereof classified as owner-occupied pursuant to
7 §§ 10-13-39 to 10-13-40.4, inclusive, that is owned and occupied by a veteran who is
8 rated as permanently and totally disabled from a service-connected disability is exempt
9 from property taxation. The veteran shall apply for this partial exemption on a form
10 prescribed by the secretary of revenue. Any application or supporting document for this
11 exemption is confidential. Any veteran who would otherwise qualify for this exemption but
12 fails to comply with the application deadline for the owner-occupied classification or the
13 deadline for application for this exemption may petition the board of county commissioners
14 to recalculate the taxes based upon the owner-occupied classification and this exemption
15 and abate or refund the difference in taxes pursuant to chapter 10-18.

16 ~~Beginning on January 1, 2025, the total amount of full and true value exempt under~~
17 ~~this section increases annually by the index factor. The index factor is the annual~~
18 ~~percentage change in the consumer price index for urban wage earners and clerical~~
19 ~~workers as computed by the Bureau of Labor Statistics of the United States Department~~
20 ~~of Labor during the prior year.~~

21 If the director of equalization determines that the veteran receives an exemption
22 for the veteran's dwelling pursuant to this section, the veteran retains that exemption
23 until such time as the property ownership is transferred, the veteran does not occupy the
24 dwelling, or the property has a change in use. If the legal description of property is
25 changed or amended and the veteran continues to reside in the dwelling, the veteran
26 retains the exemption provided by this section.

1 **Section 2. That § 10-4-41 be AMENDED:**

2 **10-4-41.** ~~One Two~~ hundred fifty thousand dollars of the full and true value of the
3 total amount of a dwelling, or portion thereof, classified as owner-occupied pursuant to
4 §§ 10-13-39 to 10-13-40.4, inclusive, is exempt from property taxation if owned and
5 occupied by:

- 6 (1) The surviving spouse of a veteran who was rated as permanently and totally
7 disabled from a service-connected disability; or
8 (2) The surviving spouse of a veteran, who receives dependency and indemnity
9 compensation from the United States Department of Veterans Affairs as a result of
10 the veteran's service-connected death.

11 The surviving spouse shall apply for this partial exemption on a form prescribed by
12 the secretary of revenue. Any application or supporting document for this exemption is
13 confidential. Any surviving spouse who would otherwise qualify for this exemption but fails
14 to comply with the application deadline for the owner-occupied classification or the
15 deadline for application for this exemption may petition the board of county commissioners
16 to recalculate the taxes based upon the owner-occupied classification and this exemption
17 and abate or refund the difference in taxes pursuant to chapter 10-18.

18 ~~Beginning on January 1, 2025, the total amount of full and true value exempt under~~
19 ~~this section increases annually by the index factor. The index factor is the annual~~
20 ~~percentage change in the consumer price index for urban wage earners and clerical~~
21 ~~workers as computed by the Bureau of Labor Statistics of the United States Department~~
22 ~~of Labor during the prior year.~~

23 If the director of equalization determines that the surviving spouse receives an
24 exemption for the dwelling pursuant to this section, the surviving spouse retains that
25 exemption until—such time as the property ownership is transferred, the surviving spouse
26 does not occupy the dwelling, the surviving spouse remarries, or the property has a
27 change in use. If the legal description of property is changed or amended and the surviving
28 spouse continues to reside in the dwelling, the surviving spouse retains the exemption
29 provided by this section.

30 **Section 3. That § 10-6-154 be AMENDED:**

31 **10-6-154.** The director shall mail or transmit electronically a notice of assessment
32 to each property owner not later than March first that contains:

- 1 (1) A statement that property occupied by the owner or a parent of the owner may be
2 eligible for tax relief by being classified as an owner-occupied single-family dwelling
3 pursuant to §§ 10-13-39 through 10-13-40;
- 4 (2) A statement that property owned and occupied by a veteran who is rated as
5 permanently and totally disabled from a service-connected disability_z or the
6 veteran's surviving spouse_z may be eligible for tax relief pursuant to §§ 10-4-40
7 and 10-4-41;
- 8 (3) A statement that a dwelling specifically designed for use by a paraplegic as a
9 wheelchair home that is owned and occupied by a paraplegic veteran, a veteran
10 with the loss or loss of use of both lower extremities, or the veteran's surviving
11 spouse may be eligible for tax relief pursuant to § 10-4-24.10;
- 12 (4) A statement that a dwelling owned and occupied by a paraplegic or an individual
13 with the loss or loss of use of both lower extremities may be eligible for tax relief
14 pursuant to § 10-4-24.11;
- 15 (5) A statement that property owned by a citizen who reached sixty-five years of age
16 or who is disabled may be eligible for tax relief pursuant to chapter 10-6A; and
- 17 (6) Uniform information prescribed by the secretary of the department.
- 18 The secretary of the department may promulgate rules, pursuant to chapter 1-26,
19 concerning the form and content of the notice.